

At a meeting of the Town Council holden in and
for the Town of Gloucester on **January 3, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President;
George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Jean M. Fecteau, Town Clerk; Susan Harris, Deputy Town Clerk; Tim
Kane, Assistant Town Solicitor; Joseph DelPrete, Chief of Police; Gary
Trembl, Director of Public Works; Thomas Mainville, Finance Director;
Judy Branch, Director of Human Services; and Walter Steere, Jr.,
School Committee member.

III. Pledge of Allegiance

The Pledge of Allegiance was led by Boy Scout Troop 44, Andre DeGrange.

IV. Open Forum for Agenda Items

A. Bill Dupuis stated that he will speak when the agenda item of his concern is addressed.

V. Consent Item - Discussion and/or Action

A. Town Council Minutes - December 20, 2012

MOTION was made by Councilor Reichert to APPROVE the Town Council minutes of
December 20, 2012; seconded by Councilor G. Steere.

Discussion: Councilor Sette stated that he will abstain from this vote.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Reichert

NAYS: 0

ABSTENTION: Sette

MOTION PASSED

VI. Unfinished Business

A. Boards and Commissions

1. Appointments - Discussion and/or Action

a. Community Resource Commission -

1. One unexpired Alternate one year terms

2. One two year term to expire 01/01/2013

Councilor W. Steere stated that he has spoken with Linda Nichols, chair of this Commission
regarding an application which was received. L. Nichols will speak to the applicant and get back
to the Council.

MOTION was made by Councilor Sette to TABLE the appointments to the Community Resource Commission; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert

NAYS: 0

MOTION PASSED

b. Planning Board

One five year term to expire 3/2017

MOTION was made by Councilor G. Steere to APPOINT Michael DeGrange to the Planning Board for one five year term to expire 3/2017; seconded by Councilor Burlingame.

Discussion:

Councilor Sette stated that there was an issue recently in Smithfield with respect to a decision which was made against a developer, who is now suing the Town. Councilor Sette suggested that the Council interview potential candidates to determine their intentions and understanding of the duties and responsibilities of serving on the Planning Board. Councilor Sette noted that this has nothing to do with the person who is nominated, adding that he has served on a board with him and he does a great job.

Councilor G. Steere stated that M. DeGrange was previously on the Planning Board and the only reason he resigned was because he was called upon to serve on the Town Council upon the resignation of Councilor Hainsworth. Councilor G. Steere stated that M. DeGrange was a member in good standing and the right thing to do would be to put him back on the Planning Board. Councilor Burlingame expressed agreement, adding that M. DeGrange fulfilled his obligation and is qualified to serve on the Planning Board.

Councilor Sette stated that going forward, he would also like to interview anyone who applies to serve on the Zoning Board as well as other boards. Councilor Burlingame stated that it is important to appoint M. DeGrange to the Planning Board now to have a full complement on the Planning Board.

VOTE: AYES: G. Steere and Burlingame

NAYS: W. Steere, Sette and Reichert

MOTION FAILS

MOTION was made by Councilor Sette to TABLE the appointment to the Planning Board for one five-year term to expire 3/2017 until the next Town Council meeting; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Sette and Reichert

NAYS: G. Steere and Burlingame

MOTION PASSED

2. Land Trust - Discussion and/or Action Update on Policies and Procedures

Councilor Burlingame stated that this matter was not resolved at the last Council meeting. Councilor Burlingame stated that what was sent back to the Land Trust for approval was what was originally sent to the Council. Councilor Burlingame stated that the Solicitor had put the document into a format which would fit with our codes and procedures.

Councilor Burlingame stated that the “Code of Conduct” would not fit with any of the other boards, and we already have Chapter 392-2, Office and Member Duties, which describes how a chair is supposed to operate and how meetings are to be conducted. Councilor Burlingame stated that he does not wish to have a workshop to rehash what was given to the Council and then sent back to the Land trust.

Tim Kane, Assistant Town Solicitor, stated that the Enabling Legislation authorizes the GLT to do Rules and Procedures and the Town Council to approve them. T. Kane noted that Code of Conduct is not part of Rules and Procedures. T. Kane stated that he added something regarding appraisals which would require that properties are appraised on their own without considering hypothetical situations concerning access to the property.

Regarding rules of conduct, T. Kane asked how they would be enforced? T. Kane stated that if the Land Trust wishes, they could adopt a Code of Conduct internally, but he does not recommend it. T. Kane stated that his legal recommendation is to keep it separate from the Rules of Procedure. Councilor Sette agreed. Councilor Burlingame recommended that the Council reaffirm their position that these are the rules which were reformatted and sent back to the Land Trust for their approval and ultimately final approval by the Council.

Bruce Payton, chair of the Land Trust, stated that when they received the rules back from the Council, some of the language was changed, such as the word “will” was changed to “shall” in some cases, which is strong language. B. Payton further stated that when the Land Trust closes on a piece of property near the end of the year, they cannot always get the information to the Council beforehand.

B. Payton stated that if the Council mandates that they be informed before a closing by using the word “shall,” the Land Trust will not go along with it. Councilor Burlingame stated that this sounds like the Land Trust wants an open-ended deal where the Land Trust will meet with the Council if it is convenient and meets their timing. Councilor Burlingame stated that this would not allow the Council to determine if a purchase is the right thing to do.

Bruce Payton stated that sometimes the timetable gets moved up where the Land Trust would not be able to get the closing sheet to the Council before a closing. B. Payton stated that this happened recently, but noted that the Council was aware of the details of the purchase. Councilor Burlingame stated that this was a timing issue for the seller who was concerned about capital gains, but the Council’s first concern is the taxpayers and whether or not they are getting the best deal.

Councilor Burlingame stated that the Land Trust held an emergency meeting where three of the seven members were not in attendance. Councilor Burlingame further stated that the Council was told that some of the Land Trust members were not notified of this meeting. B. Payton stated that all legal notification requirements were met and expressed his displeasure regarding Land Trust members misleading the Council.

Councilor W. Steere referred to the recent closing, stating that the Land Trust was up-front with the Council with regard to everything until they needed to close. B. Payton stated that the Land Trust has done everything the Council has asked and is one of the best Land Trusts in the State.

Councilor G. Steere asked Bruce Payton if he objects to the item regarding full disclosure to the public which was added to the Rules of Procedure by the Council. B. Payton replied in the negative, but noted that this was not discussed and voted on by the Land Trust.

Concerning the recent purchase, Councilor Sette asked if the Council Liaison to the Land Trust could have been informed and, in turn, confer with each Council member individually. Tim Kane, Assistant Town Solicitor, cautioned that once three Council members are informed, it would constitute a rolling quorum.

Regarding the language changes of the document, B. Payton stated that some members of the Land Trust object to the word "shall" as opposed to "will". Councilor Burlingame suggested that the Land Trust make changes and send it back to the Council. Councilor Sette agreed.

B. Payton stated that the members of the Land Trust really want the Code of Conduct included because they are tired of people misleading the Council. Councilor Sette stated that in lieu of the Code of Conduct, any issues with a member's conduct should be brought to the Council's attention with the request for that member's removal. B. Payton stated that there was a member who was reappointed to the Land Trust even though all but one of the other members were against the appointment.

Councilor G. Steere stated that a difference of opinion is not cause for not reappointing somebody. B. Payton replied that it was more than opinion; false statements were made and work was not done. T. Kane reiterated that the Code of Conduct and Rules of Procedure are two separate things and should not be combined.

George Charette asked if he may speak regarding this matter. Councilor W. Steere replied that if his comments pertain to policies and procedures, he may speak now. Otherwise, Councilor W. Steere advised G. Charette that he may speak during Open Forum.

G. Charette stated that he is speaking as a taxpayer as well as a member of the Planning Board. G. Charette stated that he understands what the Council and Land Trust are trying to do with regard to policies and procedures. G. Charette noted that he has attended Land Trust meetings as a taxpayer and has noticed deficiencies concerning the operation of the Land Trust. G. Charette stated that some members of the Land Trust try to discuss items which are not on the agenda.

G. Charette also stated that paperwork is presented to Land Trust members at the meeting instead of beforehand. G. Charette stated that when the Planning Board members receive documents at their meeting, the matter is tabled until their next meeting to allow time for review.

G. Charette stated that the Town Council, the Land Trust and the Planning Board are three very important entities and should be able to have discussion to understand what the Land Trust is doing and how it will affect the Town and its taxpayers. G. Charette noted that the Planning Board is reviewing the Comprehensive Community Plan and has a big job ahead in order to make this thing work.

G. Charette stated that when he attended a Land Trust meeting three weeks ago, he was invited, as Planning Board chair, to stay for Executive Session. G. Charette stated that they had a great discussion and he gave the Land Trust information which was true to fact. G. Charette stated that it is his duty not to divulge to anyone in this Town what was discussed in Executive Session.

G. Charette expressed his opinion that when some people become involved in politics and “step into some shoes,” they lose the viability of fairness to everyone around them. G. Charette stated that there must be drastic changes in procedure. G. Charette stated that the people in Town should be given 100% of the information. G. Charette stated that the Land Trust made a very valuable decision.

VII. New Business

A. Public Works: Bid Extension Requests - Discussion and/or Action

1. 2011-01 Full Depth Pavement Reclamation – Murray Paving

MOTION was made by Councilor Reichert to EXTEND **IFB #2011-01** for Full Depth Pavement Reclamation to Murray Paving for the price of \$1.13/sq yd to November 1, 2013 (all pricing, terms & conditions to remain the same as original bid award) ; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert

NAYS: 0

MOTION PASSED

2. 2012-02 Hot Mix Asphalt – Cardi Corporation

MOTION was made by Councilor Sette to EXTEND IFB#2012-02 to Cardi Corporation for the following:

Hot Mix Asphalt (more than 500 ton) at a price of \$11.79/sq yd. 3" compacted in place

Hot Mix Asphalt (more than 500 ton) at a price of \$15.29/sq yd. 4" compacted in place

Cape Cod Berm (asphalt) at a price of \$1.50/linear ft

Tack Coat at a price of \$0.01/sq yd

Hot Mix Asphalt (less than 500 ton) at a price of \$14.79/sq yd. 3" compacted in place

Hot Mix Asphalt (less than 500 ton) at a price of \$18.29/sq yd. 4" compacted in place

Cape Cod Berm (asphalt) at a price of \$1.50/linear ft.
Tack Coat at a price of \$0.01/sq yd.
until November 1, 2013 (all pricing, terms & conditions to remain the same as original bid award); seconded by Councilor G. Steere.

Discussion: Councilor Reichert stated that he must recuse himself from this matter.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette
NAYS: 0
RECUSAL: Reichert
MOTION PASSED

3. 2010-08 Chip Sealing – Comer Contracting

MOTION was made by Councilor Reichert to EXTEND **IFB# 2010-08** to Comer Contracting to supply Single Chip Seal (primary more than 2000 sq. yds at a price of \$1.61/sq. yd delivered in place until October 15, 2013 (all pricing, terms & conditions to remain the same as original bid award); seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert
NAYS: 0
MOTION PASSED

4. 2008-08 Road Sand – Barnes Concrete

MOTION was made by Councilor G. Steere to EXTEND **IFB# 2008-08** to Barnes Concrete to supply the following material:

Road Sand- at a price of \$12.55/ton delivered or \$9.45/ton picked up to 12/31/13 (all pricing, terms & conditions to remain the same as original bid award) ; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert
NAYS: 0
MOTION PASSED

B. Authorization of Contract - Discussion and/or Action
Community Development Block Grant, PY 2012, Contract #12/13/26

Councilor W. Steere stated that Ray Goff, Town Planner, is overseeing the Gloucester obligations of Western R.I. Home Repair during its transition. Council has received the contract for program year 2012 which needs to be signed.

Discussion: None.

MOTION was made by Councilor Sette to AUTHORIZE the Town Council President to sign Contract #12/13/26 between the Town of Gloucester and the R.I. Office of Housing & Community Development for the CDBG Program Year 2012; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert

NAYS: 0

MOTION PASSED

C. Authorization of Correspondence: Gloucester's Intentions for CDBG and/or Western Home Repair- Discussion and/or Action

Councilor W. Steere explained that the Council has come to a consensus, at a previous meeting, to forward correspondence to the Office of Housing & Community Development and the Towns of Scituate and Foster to express Gloucester's desire to consider opting out of the consortium and overseeing a CDBG program just for our community.

Discussion:

Tim Kane, Assistant Town Solicitor, read into the record the following draft correspondence:

Judith Loven, Chair
Western RI Home Repair Program

Re: Continued operations of W.R.I.H.R.P./Gloucester Participation

Dear Ms. Loven:

Please be advised that at this time the Town of Gloucester is not willing to commit to any future participation in the Western Rhode Island Home Repair Program including any proposals to restructure the program. The Town of Gloucester is exploring its options including administering its own home repair program internally.

Thank you for your attention to this matter.

Very truly yours,
Walter M. O. Steere, III
Gloucester Town Council President

(end of letter)

MOTION was made by Councilor Burlingame to AUTHORIZE the Town Council President to sign correspondence to the Office of Housing & Community Development and the Towns of Scituate and Foster to express Gloucester's desire to consider opting out of the consortium and overseeing a CDBG program for Gloucester; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert

NAYS: 0

MOTION PASSED

D. Authorization from Contingency Fund: Town Property Survey
Discussion and/or Action

Councilor W. Steere stated that at the last Council meeting there was discussion regarding the town having a survey done of the West Glocester School property to correct a discrepancy with the current land area owned by the town. Council consensus was that the survey should be done but a vote is needed to authorize the expenditure.

Discussion: None.

MOTION was made by Councilor Burlingame to AUTHORIZE the expenditure of funds from the Town Council Contingency Fund for a land survey, not to exceed \$3,500, of Town property, located at the site of the West Glocester Elementary School; seconded by Councilor Reichert.

Discussion:

Councilor G. Steere stated that the Council should follow up on this matter to determine if the original surveyor is responsible for the discrepancy and liable for the cost of the survey.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert

NAYS: 0

MOTION PASSED

E. Town Council meetings: Video & re-broadcasting - Discussion and/or Action

Councilor Sette stated that this matter has been brought up in the past but did not receive a favorable opinion. Councilor Sette noted that there are almost 10,000 people in Glocester, most of whom are not informed regarding how their government works. Councilor Sette stated that if the Town Council meetings were rebroadcast on cable television, residents could see how decisions are made.

Councilor Sette further stated that this would provide a permanent record of the meetings. Councilor Sette stated that the Town Clerk does a great job with minutes, but it is impossible to capture certain aspects of the meeting such as the tone of remarks that are made. Councilor Sette pointed out that most communities in the State provide this service through a number of ways. Councilor Sette suggested that this could be done as a project of the Ponaganset High School Audio Visual Department or somebody could be paid a nominal fee to record the meetings.

Councilor W. Steere stated that he supports this idea, noting that people have busy lives that sometimes prevent them from attending the meetings. Councilor W. Steere stated that the equipment and technical support are free through Cox Cable; it is just a matter of getting

someone to do the recording. Councilor W. Steere stated that it would be a small cost for allowing taxpayers to see what is going on.

Councilor Sette stated that if the Council goes forward with this idea, they should strongly suggest that the School Committee do the same thing concerning their meetings. Councilor Sette pointed out that 80 cents of every tax dollar is being spent on the School budget.

Councilor Burlingame stated that he was opposed to this matter when it was first discussed but has since changed his mind. Councilor Burlingame stated that there will be some significant issues coming up in the next several months and it is important that the people understand the basis for the Council's deliberations. Councilor Burlingame stated that if it does not incur a major expense and if we can get the School Committee to follow the Council's lead, he is in favor of broadcasting the Council meetings.

Councilor Reichert stated that he has also changed his mind and is willing to proceed. Councilor Reichert further stated that the Council could approach somebody at the High School to discuss the possibility of making this a school project. Councilor Sette offered to speak to the Superintendent.

Councilor G. Steere stated that he has not changed his mind, but added that if we go forward with this, the School Committee and the Land Trust should also broadcast their meetings.

Tim Kane, Assistant Town Solicitor, recommended that a motion be made to authorize Councilor Sette to pursue this matter with the School Department.

MOTION was made by Councilor Reichert to consider broadcasting Town Council meetings and to authorize Councilor Sette to discuss this matter with the School Department to request volunteers; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Burlingame, Sette and Reichert

NAYS: G. Steere

MOTION PASSED

F. Transfer Station: Single stream recycling - Discussion and/or Action

Councilor Sette stated that the State has implemented single stream recycling and he has been asked why we still have to separate our recyclables at the Transfer Station. Gary Treml, Director of Public Works, explained that people do not break down boxes properly, making it impossible to mix them with other recyclable materials. Councilor Sette suggested that a compactor be used to flatten the boxes.

G. Treml replied that cardboard cannot be compacted because it must be loose when it goes into the machine. G. Treml stated that it would be too expensive to restructure the system to accommodate the boxes. Councilor Sette asked why other towns do not have this problem. G.

Treml replied that some of them have curbside pickup and those that have Transfer Stations have somebody monitoring the bins at all times to ensure that people recycle properly. G. Treml noted that he does not have that luxury as he only has one or two attendants at a time.

Councilor Sette stated that kids are being taught about single stream recycling at school and are going home and telling their parents about it. G. Treml commented that it can be done, but the whole Transfer Station would have to be re-boxed or extra people would have to be there to monitor the recycling center every day.

G. Main Street construction: waterline - Discussion and/or Action

Councilor Sette stated that now is the time to consider running a waterline on Main Street to revitalize businesses in the area. Councilor Sette pointed out that the State will be doing road construction along Route 44 and it would be less expensive to run a waterline when someone else is breaking up the road. Councilor Sette further stated that money is available from several funding sources, such as USDA.

Councilor Sette noted that Dave Steere would be able to provide guidance through the project. Councilor Sette stated that enabling legislation would be necessary to create a water district in the village, which would make it a more viable business district. Councilor Sette stated that we already have a Town well at the Senior Center and there may be other locations where wells could be dug.

Councilor G. Steere stated that this should have been done eight or ten years ago in order to get in under the road project. Councilor G. Steere stated that the State has indicated that this would stall the project and possibly cause a loss of funding. Councilor G. Steere stated that he agrees with Councilor Sette, but feels that it may be too late to get it in under the upcoming road construction and that there was a possibility the state would lose their funding

Gary Treml, Director of Public Works, stated that a study was conducted by students at Johnson & Wales which showed that there are numerous restrictions and stipulations regarding the location of public water wells. G. Treml further stated that the State has indicated that if the project is not on the blueprint at this time, they will not draw it in. G. Treml explained that if this had been decided several years ago, it could have been incorporated in the design of the project.

Rose LaVoie stated that this subject was discussed about ten years ago and was mentioned in the Chepachet Village Plan. R. LaVoie stated a \$500,000 grant was received for road work and part of the plan was supposed to involve water and sewer lines. R. LaVoie stated that there certainly is a need for it in the Village. R. LaVoie suggested that negotiations could take place with the State to get this added to the project. R. LaVoie stated that this issue has been put off long enough.

Councilor Reichert agreed that this is important and noted that it has been discussed many times, but when the prices come in, the subject goes away. Councilor Reichert stated that there was once discussion of the feasibility of connecting with Burrillville's sewer system.

Councilor G. Steere commented that it is a shame not to get the main line and laterals installed while the road construction is going on. Councilor G. Steere stated that starting from scratch would turn a \$300,000 water main into a 5 million dollar project.

Councilor W. Steere noted that the State is not yet working on the project and suggested that we might be able to talk to them about including the installation of a waterline.

Bruce Payton, Land Trust chair, stated that when the Land Trust was first formed, one of the main goals was to acquire areas for well fields. B. Payton stated that there are several in Town that have been acquired for that purpose.

Councilor Reichert stated that it would be unlikely to stop a project which has been bid out and awarded and suggested that the Council explore the feasibility of establishing well fields.

Dave Steere explained that it would take some time because first, a water source must be identified, an engineer must be involved, then plans must be forwarded to the State's Department of Health, where they could remain for six to eight months. D. Steere further stated that no funding source will award money until complete plans and specs are in place, then the bid process must be conducted. D. Steere commented that this would not happen before the road project begins in the Spring. D. Steere further stated that once a water system is established, somebody needs to run it, which would result in additional operating costs.

Councilor W. Steere suggested that the Town Planner and Planning Board be directed to conduct research to determine the feasibility and time-frame for this type of project. Councilor Sette recommended that a small committee be established to address this subject.

MOTION was made by Councilor Reichert to TABLE the discussion regarding a Main Street waterline until the next meeting; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert

NAYS: 0

MOTION PASSED

H. Emergency notification system for town residents - Discussion and/or Action

Councilor W. Steere stated that there have been two major weather incidents after which reviews were conducted to evaluate how they were handled. Councilor W. Steere stated that one of the challenges that was indicated is communication to Town residents, not only during the incident, but before the event happens. Councilor W. Steere stated that the Chief of Police and Jason Rhodes, the EMA Director, have been working on this.

Joseph DelPrete, Chief of Police, stated that his Department was very proactive during the two events, using sign boards and radio broadcasts to keep residents informed. Chief DelPrete stated that he is in the preliminary stages of looking at several vendors, such as Code Red, which is a

Town-wide notification system. Chief DelPrete explained that there would have to be a portal on our website and people would have to register their e-mail addresses and cell phone numbers.

Councilor W. Steere asked if the schools have this type of program. Chief DelPrete replied in the affirmative, adding that the parents have to register with the school. Chief DelPrete noted that during the incidents, his Department's priority was to keep in contact with the elderly, as some of them are not familiar with current technology. Chief DelPrete stated that an emergency notification system is a viable option and he will have more information within three or four weeks.

Councilor Sette stated that he is familiar with Code Red and stated that it is a good system that can be used in non-emergency situations as well. Chief DelPrete noted that there are three other vendors with comparable service which he will also look into.

I. Appointments - Terms to run concurrent with Council - Discussion and/or Action

Councilor W. Steere noted that the position of Senior Center Director was inadvertently omitted from this item and will be addressed at the next Town Council meeting.

1. Chief of Police
2. Director of Finance
3. Director of Public Works
4. Tax Collector
5. Town Planner
6. Building/Zoning Inspector
7. Deputy Town Clerk
8. Deputy Town Treasurer
9. Director of Human Resources
10. Town Solicitor
11. Assistant Town Solicitor
12. Electrical Inspector
13. Plumbing Inspector
14. Mechanical Inspector
15. Animal Control Officer
16. Appraiser of Dog Damage
17. Assistant Animal Control Officers
18. Director of Emergency Management
19. Probate Judge
20. Recreation Director
21. Deputy Tree Warden
22. Sealer of Weights & Measures
23. Honorary Town Historian

Discussion: None.

MOTION was made by Councilor G. Steere to APPOINT the following for a two year term to run concurrent with the Town Council:

1. Chief of Police - Joseph DelPrete;
2. Director of Finance - Thomas Mainville;
3. Director of Public Works - Gary Treml;
4. Tax Collector - Jane Steere;
5. Town Planner - Raymond Goff;
6. Building/Zoning Inspector - Carl Riccio;
7. Deputy Town Clerk - Susan Harris;
8. Deputy Town Treasurer - Jane Steere;
9. Director of Human Resources - Thomas Mainville;
10. Town Solicitor - William Bernstein;
11. Assistant Town Solicitor - Timothy Kane;
12. Electrical Inspector - James Clarke;
13. Plumbing Inspector - Gary M. Coyne;
14. Mechanical Inspector - Albert Danti;
15. Animal Control Officer - Michael Merchant;
16. Appraiser of Dog Damage - Michael Merchant;
17. Asst. Animal Control Officers
Penny Silvia, Vicki Kramer & Michael J. Beaulieu;
18. Director of Emergency Management - Jason M. Rhodes;
19. Probate Judge - Jane Gurzenda;
20. Recreation Director - Anthony Parrillo;
21. Deputy Tree Warden - Todd Anderson;
22. Sealer of Weights & Measures - Robert Salley;
23. Honorary Town Historian - Edna Kent;

seconded by Councilor Burlingame.

Discussion:

Councilor Sette AMENDED the Motion to approve all of the appointments with the exception of the position of Building/Zoning Inspector.

Discussion:

Councilor Sette stated that the current Building Official is not present and does not regularly attend Town Council meetings. Councilor Sette also pointed out that when this person was appointed two and a half years ago, it was stated that he would obtain certification and questioned whether this has been done.

Councilor Sette asked the Assistant Town Solicitor if there should be concern if a non-certified person is reviewing and approving building permits. T. Kane, Assistant Town Solicitor, replied that it is a concern and a time-frame should be set for obtaining the certification. T. Kane added that the Building Official is a good employee with whom he enjoys working, however he should have certification to prevent any liability to the Town. Councilor Sette noted that it is State Law that a Building Official be certified.

The Amended Motion was seconded by Councilor Reichert.

Discussion:

Councilor Burlingame stated that the reason the Building Official has not been certified is due to delays at the State level. Councilor G. Steere agreed and stated that the Building Official is working on obtaining certification. Councilor G. Steere further stated that the Building Official is not present tonight because he is attending a funeral. Councilor G. Steere expressed his opinion that the Building/Zoning Office has never run as smoothly as it has under the current Building Official.

Councilor G. Steere stated that it would be foolish to change that. Councilor Burlingame noted that the Building Official does not sign anything he is not authorized to sign. It was stated that these items are forwarded to the Scituate Building Official for approval. Councilor Burlingame recommended not holding up the appointment.

Councilor W. Steere stated that he does not question the performance of the Building Official, adding that he has heard nothing but good things. Councilor W. Steere stated that the issue is regarding the State certification and what is required. Councilor Burlingame asked if the Building Official would be considered fired if he is not reappointed tonight. Tim Kane, Assistant Town Solicitor, replied that if an appointment is not made tonight, the current Building Official would continue to serve until an appointment is made.

Councilor Sette stated that if the Building Official is in the process of becoming certified and the issue is at the State level, that's fine. However, Councilor Sette stated that two and a half years have gone by for a certification that only requires a test. Councilor G. Steere pointed out that things have run very smoothly during those two and a half years, smoother than it has ever run. Councilor Sette disagreed with G. Steere.

Jean Fecteau, Town Clerk, stated that a vote must be taken regarding the Motion to Amend the original Motion. After discussion, Councilor Sette WITHDREW his Motion to Amend and Councilor Reichert WITHDREW his second.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert
NAYS: 0
MOTION PASSED

J. Town Council Liaisons for Boards, Comm. & Depts.- Discussion and/or Action

Councilor Burlingame stated that the past two years have gone well with the current liaisons and suggested leaving them as is, unless somebody wishes to be removed or added. Councilor Sette stated that it is good to switch them up because people get too comfortable with certain people.

Councilor Sette stated that there is sometimes concern that there is undue influence of Council members over different departments. Councilor Sette stated that he has looked back and it appears that in the past, liaisons have changed year on year. Councilor Sette pointed out that the Council members are only a liaison; they do not run the department.

Councilor G. Steere stated that the position of liaison really isn't that important and that he has reviewed Councilor Sette's proposed list. Councilor G. Steere stated the list, as proposed, will make his job easier. Councilor G. Steere pointed out that any of the Council members can speak to a Department Head at any time, but if the Department Head wants something placed on an agenda, they must contact their liaison. Councilor Burlingame stated it will make his job much easier also. Councilor G. Steere stated he is glad to see Councilor W. Steere is no longer the Land Trust liaison.

Bill Dupuis stated that he believes that Councilor W. Steere is too involved with the Land Trust. B. Dupuis further stated that Councilor W. Steere does not attend Land Trust or Planning Board meetings. B. Dupuis expressed his opinion that a disservice would be made to the Town if Councilor W. Steere remained liaison to the Land Trust. Councilor W. Steere responded that it is a misconception that a liaison must attend all meetings. Councilor W. Steere explained that a liaison is appointed for communication purposes, to bring any concerns or issues to the Council. Councilor W. Steere added that whenever he is asked to attend a meeting, he does so. Councilor W. Steere pointed out that the Council appoints people that they trust to serve on Boards and Commissions, therefore it is not necessary for the Council liaison to attend every meeting.

B. Dupuis stated that he feels that a liaison should attend meetings to see how the meetings are conducted and to provide input. Councilor W. Steere disagreed, stating that input may be intimidating to some people. Councilor W. Steere stated that he offers an opinion only if he is asked. B. Dupuis asked Councilor W. Steere if he will continue to serve as liaison for the Land Trust. Councilor W. Steere replied in the negative.

George Charette stated that when a Council member attends a meeting of a board for which he is the liaison, he is there to ensure that the meeting is conducted properly. G. Charette stated that he feels that the liaison has the right, at a Town Council meeting, to report what the board was discussing, as long as it was not in Executive Session. G. Charette stated that this would make everybody in Town aware of what the boards are doing. Councilor W. Steere stated that at each Town Council meeting, the Boards and Commissions have the opportunity to update the Council. G. Charette stated that we don't hear the liaison's discussion.

Bruce Payton, chair of the Land Trust, stated that until four years ago, nobody attended their meetings, and there were no issues. B. Payton stated that he and Councilor W. Steere are in contact frequently to discuss Land Trust matters and there is communication with the other Council members as well. B. Payton further stated that the minutes and recordings are available for review in the Town Clerk's office. B. Payton thanked Councilor W. Steere for his service as liaison to the Land Trust.

Tim Kane, Assistant Town Solicitor, stated that a liaison is a means of communicating between different departments. T. Kane explained that if a Board or Department Head needs something, they speak to their liaison who places the issue on the agenda. T. Kane further stated that if the Council wants a liaison to speak to a Department Head, they ask him to do so. Councilor Burlingame stated that his understanding is that if a department wants to get something going, the liaison is their contact, adding that it is a "bottom up" thing as opposed to a "top down"

thing, which the Charter specifically prevents. Councilor Reichert agreed, stating that the liaison is not intended to micro-manage meetings.

MOTION was made by Councilor Sette to APPOINT the following liaisons:

Councilor Burlingame:

- Affordable Housing Advisory Board
- Historic District Commission
- Human Resources (Personnel)
- Senior Center
- Community Development Block Grant (CDBG)

Councilor Reichert:

- Conservation Commission
- Public Works
- Planning Office and Planning Board
- Sealer of Weights and Measures
- Scituate Watershed Commission

Councilor Sette:

- Budget Board
- Finance
- Land Trust
- School Department
- Town Clerk/Town Hall

Councilor G. Steere:

- Economic Development
- Housing Authority
- Human Services
- Parade Committee
- Zoning Official/Zoning Board

Councilor W. Steere:

- Community Resource and Wastewater Advisory Commission
- Harmony Hill School
- Honorary Town Historian
- Public Safety
- Recreation Director and Commission

seconded by Councilor Reichert.

Discussion:

It was stated that Western RI Home Repair should be changed to Community Development Block Grant (CDBG). Councilor Sette AMENDED his motion as such before the second; seconded by Councilor Reichert.

VOTE ON MOTION AMENDMENT:

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert

NAYS: 0

MOTION PASSED

VOTE ON MAIN MOTION:

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert

NAYS: 0

MOTION PASSED

K. Appointments - Boards & Commissions - Terms concurrent with Town Council

Discussion and/or Action

1. Board of Contracts & Purchases to 01/2015

Two (2) expired terms

One (1) expired Ad Hoc term

MOTION was made by Councilor Reichert to APPOINT Thomas Mainville, Finance Director; Jean Fecteau, Town Clerk; and as ad hoc member a Town of Gloucester Department Head (not soliciting bid); to the Board of Contracts & Purchases for a two year term to expire 01/2015; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert

NAYS: 0

MOTION PASSED

2. Personnel Board to 01/2015

Three (3) expired terms

MOTION was made by Councilor G. Steere to APPOINT Russell Gross; David J. Piccirillo; and Michael Recorvits; to the Personnel Board for a two year term to expire 01/2015; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert

NAYS: 0

MOTION PASSED

3. Recreation Commission to 01/2015
Five (5) expired terms

MOTION was made by Councilor Sette to APPOINT Gary Martinelli; William Elderkin; Kevin Leahy; Douglas R. Lovett, III; Martha Q. Huston; to the Recreation Commission for a two year term to expire 01/2015; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert

NAYS: 0

MOTION PASSED

4. Safety Commission to 01/2015
Seven (7) expired terms
Three (3) expired At Large Members

MOTION was made by Councilor Burlingame to APPOINT:

Joseph DelPrete, Police Chief;
Jason Rhodes, Emergency Management Director;
Gary Treml, Public Works Director;
Stuart Pearson, Harmony Fire Chief;
Robert Dauphinais, Chepachet Fire Chief;
Lawrence Goodnough, West Gloucester Fire Chief;
Heidi Whitford, School Bus Coordinator;

Members at Large:

Earl Newman Jr.;

Ruth Cole; and

Russell Gross

for a term to expire 1/2015; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert

NAYS: 0

MOTION PASSED

5. Scituate Watershed Commission to 01/2015
Two (2) expired terms

MOTION was made by Councilor Sette to APPOINT Raymond Goff and Roy Najecki to the Scituate Watershed Commission for a term to expire 01/2015; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert
NAYS: 0
MOTION PASSED

6. Blackstone Valley Watershed Commission to 01/2015
One (1) expired term

MOTION was made by Councilor G. Steere to APPOINT Elizabeth Tetreault to the Blackstone Valley Watershed Commission for a term to expire 01/2015; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert
NAYS: 0
MOTION PASSED

7. Woonasquatucket River Committee to 01/2013
One (1) expired term

MOTION was made by Councilor Burlingame to APPOINT Raymond Goff to the Woonasquatucket River Committee for a term to expire 01/2015; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert
NAYS: 0
MOTION PASSED

8. Community Resource and Wastewater Advisory Commission
(7) Seven expired terms
(1) Alternate term

MOTION was made by Councilor Sette to APPOINT:

Peter Skeffington;
Matthew Salisbury;
George Kain;
Linda Nichols;
Henry Gold;
Cheryl Commendatore; and
Ron Riccitelli as Alternate member

to the Community Resource & Wastewater Advisory Commission for a term to expire 01/2015; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert
NAYS: 0
MOTION PASSED

Jean Fecteau, Town Clerk, stated that she will check with the chair of the Community Resource Commission to see if the Alternate member should be moved up to the term recently vacated by Dana Hopkins.

- L. Board & Commission Regular Appointments - Discussion and/or Action
 - 1. Tax Assessor's Board of Assessment Review
 - (1) Six year term to expire 12/31/2012

MOTION was made by Councilor Reichert to REAPPOINT Thomas Ross to the Tax Assessor's Board of Assessment Review for a six year term to expire 12/31/2018; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert
NAYS: 0
MOTION PASSED

- 2. Budget Board
 - (2) Three year terms to expire 1/2013

MOTION was made by Councilor Sette to TABLE the appointments to the Budget Board for 2 three year terms to expire 1/2016; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert
NAYS: 0
MOTION PASSED

- 3. Conservation Commission
 - (2) Three year terms to expire 1/2013

MOTION was made by Councilor Reichert to REAPPOINT Michael Ahnrud & Peter Skeffington to the Conservation Commission for 2 three year terms to expire 1/2016; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert
NAYS: 0
MOTION PASSED

4. Zoning Board of Review
 - (2) Alternate One year terms to expire 1/2013

MOTION was made by Councilor G. Steere to REAPPOINT Ed Crawley & Tracey Donnelly to the Zoning Board of Review for two one year alternate positions to expire 1/2014; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert
NAYS: 0

MOTION PASSED

- M. Annual Appointment
 1. Tree Warden - 2013

Councilor W. Steere stated that this is an annual appointment which the state will be requesting this month. Bruce Payton is currently the tree warden and has expressed his desire to be reappointed.

MOTION was made by Councilor Sette to APPOINT Bruce Payton to the position of Tree Warden for 2013; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert
NAYS: 0

MOTION PASSED

VIII. Department Head Report/Discussion Bds. & Commissions - Discussion

- A. Jean Fecteau, Town Clerk, stated that she has been notified by the IBPO that contract negotiations need to begin. J. Fecteau asked for two volunteers from the Council to serve as representatives. Councilor Burlingame stated that there are three contracts expiring this year.

Councilor Burlingame stated that an outside negotiator was brought in last time and he is reluctant to start contract negotiations with these unions. Councilor Burlingame stated that the Police brought in their professional negotiator and the clerks eventually brought in theirs. Councilor Burlingame stated that the Council may wish to consider hiring some legal people to handle the negotiations.

J. Fecteau stated that she should begin receiving Annual Reports from the Boards and Commissions and will forward them to the Council.

The Council members thanked Jean Fecteau for her assistance in setting up the Organizational Meeting of the Town Council.

- B. Bruce Payton, Land Trust chair, stated that he is now able to speak regarding the Lund/Goodier property on Joe Sweet Road, the latest Land Trust acquisition. B. Payton reported that it is a 42 acre parcel purchased for \$199,000, which was the appraised value. B. Payton stated that the Land Trust is lessening the restrictions on the conservation easements; hunting, camping, well fields, pump stations and forest management will be allowed on the property. B. Payton stated that the property will be named "Sprague Farm Conservation Area, Goodier Tract".

IX. Council Correspondence/Discussion

- A. Councilor W. Steere stated that correspondence was received from a resident with regard to road conditions after a recent storm and the lighting at Town Hall.
- B. Councilor W. Steere stated that a letter was received from the Probate Judge expressing interest in being reappointed.
- C. Councilor W. Steere stated that a letter was received from the Town Solicitor asking for consideration regarding reappointment.
- D. Councilor W. Steere stated that correspondence was received from Wildlife Rehabilitation Center requesting a donation because some of the animals they treat are from Gloucester.

X. Open Forum

- A. Rose LaVoie stated that at the swearing in ceremony, Senator Paul Fogarty spoke about putting politics aside and working together for the Town. R. LaVoie expressed disappointment that the Council is not as harmonious as she had expected. R. LaVoie stated that politics should stay out of Town affairs.

Regarding the waterline, R. LaVoie stated that this is important and she hopes that this will not sit in a drawer.

Regarding emergency notification, R. LaVoie noted that with the type of communications that we have today, everybody knows when a storm is coming and that they should prepare for it. R. LaVoie stated that she hopes we will not spend a lot of money on this.

R. LaVoie mentioned an article in the Providence Journal where the author, Scott Turner, wrote about his trip to Steere Farm Conservation Area. Mr. Turner described Steere Hill Farm as the lushest natural area that he has ever visited. R. LaVoie expressed agreement.

- B. Walter Steere, Jr., School Committee member, stated that the Committee has prepared a draft budget. W. Steere, Jr. noted that local appropriations are down \$12,000, however, Gloucester now has more students which will cost an additional \$250,000. W. Steere, Jr. stated that money has been put aside for this reason, but not enough to cover the whole amount. W. Steere, Jr. noted that \$43,000 of this amount is for Debt Service.

W. Steere, Jr. commented that if there was a way for the School District to average this out over a number of years, it would prevent one Town or the other from “taking a hit” each year. W. Steere, Jr. stated that the Business Manager wishes to meet with the Superintendent and both Town Councils before we get too far into the Budget process.

- C. Tom Sanzi congratulated the Council members and expressed appreciation for their support with regard to the Heritage Society’s Candlelight Shopping events. T. Sanzi stated that having the Council meetings rebroadcast on cable television would be a good opportunity for residents to see how Town government works.

Councilor W. Steere thanked Tom Sanzi for his involvement in Candlelight Shopping.

- D. Charlie Wilson thanked the Town Council for paying for one of the Police details during Candlelight Shopping. Councilor W. Steere asked C. Wilson how the Penny Social turned out. C. Wilson replied that it was very successful and he will have a donation to the Food Bank soon.

XI. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 9:50 p.m.; seconded by Councilor Sette.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the February 7, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **January 17, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President;
George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Susan Harris, Deputy Town Clerk; Tim Kane, Assistant Town Solicitor;
Joseph DelPrete, Chief of Police; Ray Goff, Town Planner; Gary Treml,
Director of Public Works; Jane Steere, Tax Collector; Judy Branch,
Director of Human Services; and Walter Steere, Jr. and Anne Ejnes,
School Committee members.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum for Agenda Items

None.

V. D.O.T. Presentation - Putnam Pike Options

Councilor W. Steere stated that the Council has received three options to consider for the corner of Putnam Pike and Money Hill Road. Representatives from DOT have met with Department Heads to discuss these options. They will now present to Council and the public.

Gee Mariam, of the Department of Transportation, and representatives from Commonwealth Engineering were present to explain three (3) different plans with regard to the intersection of Routes 44, 100 and 102. G. Mariam stated that the first alternative would keep Money Hill Road at its current width, but would eliminate the shoulders where people currently park.

G. Mariam explained levels of service, stating that the intersection is now rated at "E," which is unsatisfactory. G. Mariam noted that by adding a turning lane, the level of service will be upgraded to "D." G. Mariam stated that the second alternative is similar to the first, whereas the curb-to-curb width would remain the same and the shoulders and parking places would be utilized for the right-hand turning lane. The difference between the two alternatives is that an additional left-turn lane would be added for Route 44 westbound.

G. Mariam commented that this would result in a level of service "B," which is a good rating. G. Mariam explained the third alternative, which is the installation of a roundabout, otherwise known as a circulating roadway. G. Mariam stated that the Federal Highway Administration usually funds this type of intersection 100% because it feels that it is a safe method of travel. G.

Mariam noted that head-on accidents would be completely eliminated with the installation of a roundabout. G. Mariam stated that the biggest disadvantage would be that a larger chunk of the gas station at the corner would be taken. G. Mariam stated that the level of service for this alternative would be "B/C," which is a little lower than the second alternative, but it would be a much safer option. G. Mariam commented that the roundabout would also eliminate traffic signals and improve aesthetics with landscaping in the center. G. Mariam added that it would fit in well in the Historic District. G. Mariam asked if anybody had any questions.

1. Councilor Sette commented that there is a lot of truck traffic going east/west on Route 44 and asked which option would be favorable for trucks. G. Mariam responded that the first two alternatives would allow a truck to make a left turn onto Money Hill Road because the parking spaces would be eliminated.
2. Councilor G. Steere asked if more of the Texaco property would be taken if the roundabout is installed. G. Mariam replied in the affirmative. Councilor G. Steere asked if the Town would be able to acquire the balance of the Texaco property from the State. G. Mariam replied that a drainage easement would also be needed, but there is the possibility that the remaining land could be turned over to the Town. Councilor G. Steere stated that the Town would be interested in using the property for parking.

G. Mariam stated that the Town will have to submit a letter to the State indicating which alternative is preferred and suggested that the letter include a request for the remaining land. Councilor G. Steere commented that the State would prefer the roundabout option because the Federal government would fund the project 100%. G. Mariam concurred, stating that it is felt that the roundabout is a much safer option.

3. Councilor Burlingame asked if the proposed roundabout is the same size as the one on Twin River Road in Lincoln. G. Mariam replied that they are approximately the same size. Councilor Burlingame asked if a tractor trailer would be able to use the roundabout without difficulty. Councilor G. Steere stated that the trailers could go over the shaded part on the outer edge of the apron. G. Mariam agreed, stating that there is a raised lip to discourage smaller cars from using the apron.
4. Marie Plante, of Victory Highway, stated that large trucks travel at a high rate of speed and commented that a roundabout would be scary. M. Plante stated that in order to turn from Route 44 onto Money Hill Road, a trailer truck has to drive on the parking lot of Aegean Pizza. M. Plante stated that she would prefer either the first or second alternative. G. Mariam replied that any of the three options would improve the situation, but added that the traffic signal causes backups.
5. Councilor Burlingame stated that when the traffic light is set on blinking, there is a better flow of traffic. Councilor Burlingame noted that the concept of the roundabout is similar with regard to traffic flow and makes sense in his opinion.
6. Councilor G. Steere commented that when the power was out for several days, a construction barrel was placed in the center of the intersection, adding that there was no

traffic backup during this time. G. Mariam noted that this is another advantage of a roundabout; when there is a power failure, you don't have to rely on a traffic light.

7. George Charette stated that the roundabout makes sense, however, he expressed concern that drivers are unfamiliar with this type of intersection and may drive right through the center. Councilor G. Steere pointed out that there will be an island in the middle which drivers will have to go around.
8. Bill Dupuis expressed his opinion that the roundabout will not alleviate the traffic coming from Money Hill Road and Route 102. B. Dupuis pointed out that on weekends when the traffic light is set on blinking, the traffic backs up in that direction. B. Dupuis stated that he feels that drivers will get mixed up with a roundabout.
9. Kevin LaVoie stated that roundabouts have been successful in other states and in Europe and suggested that the Council recommend this option.
10. Anne Ejnes, School Committee member, stated that she travels through Centredale each day and was skeptical when the traffic light was replaced with a roundabout, but now feels that it works very well. A. Ejnes asked if school buses will be able to make the turn without difficulty. G. Mariam replied that there would be no problem with school buses.
11. Walter Steere, Jr., asked about pedestrian traffic and the placement of crosswalks. G. Mariam replied that the roundabout will provide safe pedestrian crossing.
12. Casey Richards, of Saw Mill Road, stated that she uses the rotary in Lincoln on a daily basis. C. Richards stated that many drivers do not know how to use a rotary and commented that it would be successful if education is made available.
13. Doris Villandry stated that she does not understand how a trailer truck will be able to make the turn, adding that she has had to back up from the stop line a number of times to allow a truck to turn. D. Villandry noted that several months ago, white lines were painted on the road, adding that people could not get used to it and accidents occurred. D. Villandry expressed concern that people will not be able to get used to the roundabout.
14. Marie Plante again spoke, expressing concern regarding the entrance to the Senior Center.
15. George Charette asked for clarity regarding the roundabout. G. Charette questioned how a 55-foot trailer truck will be able to make a left turn from Route 44 and stay to the right of the island.
16. Charlie Wilson asked when the project will start once the Town has given its recommendation.
17. Roy Najecki stated that if the roundabout is approved, the State will have to go through the condemnation and eminent domain procedure to acquire the Texaco property. R. Najecki questioned how this could be accomplished in 9 or 10 months. R. Najecki stated that he is

in favor of the Town acquiring the excess land, stating that it could be used for parking for the barber shop and antique store.

18. Tom Sanzi stated that a roundabout would cause problems because there would be no traffic lights in use. T. Sanzi stated that he conducts tours for the Gloucester Light Infantry and is concerned about pedestrians crossing the street.

Councilor W. Steere asked if anyone else wished to speak. Councilor Sette stated that he is in favor of option #3, the roundabout. There was Council consensus to place this matter on the agenda for the next Town Council meeting. Councilor G. Steere asked if the State would guarantee that the Town would receive the remainder of the Texaco property, adding that the roundabout would save the State money since the Federal Government would fund the project. Councilor W. Steere expressed appreciation to the three gentleman for their presentation.

VI. Public Hearing - Discussion and/or Action

A. Gloucester Code of Ordinances

Proposed Addition: Part 3. General Legislation, Chapter 232

Public Nuisances on Foreclosed Abandoned or Vacant Properties

Councilor W. Steere stated that this Public Hearing was advertised in the Observer/Valley Breeze on January 10, 2013.

Councilor W. Steere DECLARED the Public Hearing OPEN and asked if anyone wished to speak regarding the proposed addition to the Code or Ordinances.

Councilor W. Steere noted that the Building Official has requested the following amendments, Section #3.1 Property Maintenance: Remove “peeling paint” and add “unsafe” (as to render the structure unsightly and unsafe.) Councilor W. Steere stated that there are copies available of the amended section.

Councilor Sette referred to the section entitled Enforcement Authority and asked if a fourth line should be added which reads “Issue a notice of demolition”. Tim Kane, Assistant Town Solicitor, replied that this would be a separate procedure. T. Kane noted that this ordinance is meant to get property owners to board up their properties to make them safe.

Councilor G. Steere asked if this ordinance pertains strictly to foreclosed properties. T. Kane replied that he has worded it as such. Councilor G. Steere noted that it is worded “foreclosed abandoned or vacant properties” and suggested removing the word “or”. T. Kane agreed.

Councilor W. Steere asked if anyone else wished to be heard. Hearing none, Councilor W. Steere DECLARED the Public Hearing Closed.

Discussion: None.

MOTION was made by Councilor Sette to AMEND the Gloucester Code of Ordinance, Addition of Part 3. General Legislation, Chapter 232 entitled “Public Nuisances on Foreclosed

Abandoned, Vacant Properties,” as amended, effective upon advertising; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

- VII. Consent Item - Discussion and/or Action
- A. Town Council Minutes - January 3, 2013
 - B. Finance Director’s Report
 - C. Tax Collectors Additions & Abatements

Councilor G. Steere stated that he wishes to add several things to the minutes before they are approved.

MOTION was made by Councilor Reichert to TABLE the Town Council minutes of January 3, 2013; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

MOTION was made by Councilor Sette to APPROVE the Finance Director’s Report of July & August 2012 ; to APPROVE the Abatement to the 2012 Tax Roll in the amount of \$467.08 and the Addition to the 2012 Tax Roll in the amount of \$124.10; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

- VIII. Unfinished Business
- A. Board and Commissions
 - 1. Appointments - Discussion and/or Action
 - a. Community Resource Commission -
 - 1. One two year term to expire 01/01/2013
 - 2. Two Alternate one year terms

Linda Nichols, chair of the Community Resource Commission, stated that she would like the Council to appoint Alternate Ron Riccitelli to the full-time position, which would leave two (2)

alternate member positions to be filled. Councilor W. Steere asked if there are any candidates for the alternate positions. L. Nichols replied that there are none at this time.

MOTION was made by Councilor G. Steere to APPOINT Ron Riccitelli to the Community Resource Commission as a regular member to fill the two year term to expire 01/01/2015; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

- b. Planning Board
One five year term to expire 3/2017

MOTION was made by Councilor Reichert to APPOINT David Laplante to the Planning Board for a five year term to expire 3/2017; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

- c. Budget Board
(2) Three year terms to expire 1/2013

Councilor W. Steere explained that these appointments are for two three year terms that expired on 1/2013, as these appointments are always in January, once appointed these terms will expire 1/2016.

Discussion: None.

MOTION was made by Councilor Reichert to APPOINT David Steere to the Budget Board for a three year term to expire 1/2016; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

MOTION was made by Councilor Reichert to APPOINT Ronald Bachman to the Budget Board for a three year term to expire 1/2016; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Main Street construction: waterline - Discussion and/or Action

Councilor W. Steere stated that this item was continued from the last Council meeting for more discussion. Councilor Sette requested that the matter be tabled until the next meeting.

MOTION was made by Councilor Sette to table the discussion regarding Main Street construction: waterline, until the next Town Council meeting; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

IX. New Business

A. Hydro-Electric Power - Sand Dam Association - Discussion and/or Action
Engineer Feasibility Study (Engineer Liability Insurance)

Tim Kane, Assistant Town Solicitor, stated that it has come to his attention that the individual who was awarded the contract for the feasibility study does not carry E & O professional liability insurance. T. Kane stated that the bid specifications require general liability insurance. T. Kane stated that Tom Mainville, Finance Director, was not comfortable signing the contract. T. Kane stated that the engineer has done studies for other communities and pointed out that the work will be paid for with State grant funds.

Linda Nichols, chair of the Community Resource Commission, stated that if the Town had gone with a larger company with liability insurance, the cost would be higher. L. Nichols noted that this is only a feasibility study to determine if there is enough power generated.

T. Kane stated that the engineer has agreed to indemnify the Town and hold the Town harmless up to the contract price and he is an LLC, or Limited Liability Company. T. Kane also noted that the engineer was the low bidder and agreed to reduce the price so that the grant would cover the job.

Ray Goff, Town Planner, stated that a feasibility study was recently conducted by students from Johnson & Wales, who did not have liability insurance. R. Goff stated that if a further study was done which indicated that the first study was incorrect, we would not try to sue the students. R. Goff further stated that we are using the State's \$18,000 to do this study to determine if it is possible to put a hydro-electric plant at this dam. R. Goff stated if the engineer says that it is

feasible, another firm would be hired to look at the study. R. Goff stated that the “Feds” will also review the study, so there will be more than one set of eyes on it.

Councilor Burlingame stated that if we went ahead with the feasibility study and the assumptions were totally wrong, we would be out \$18,000 of the State’s money, but there would be no further impact to the taxpayers.

MOTION was made by Councilor G. Steere to AUTHORIZE the Finance Director to sign the contract for “ Engineer Feasibility study” for Hydro-Electric Power - between the Sand Dam Association and Michael DeFrancesco, PE, LLC, and to waive the insurance requirement; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

- B. Resignations - Bds. & Comm. - Discussion and/or Action
 - 1. Local Board of Appeals for Building Code
 - One five year term to expire 6/2015

Councilor W. Steere stated that the Council has received the resignation of William Buote-Greig from the Local Board of Appeals for Building Code. The resignation is on file in the Clerk’s Office.

MOTION was made by Councilor Sette to ACCEPT the resignation of William Buote-Greig from the Local Board of Appeals for Building Code for the five year term to expire 6/2015; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

- C. Appointments -Bds. & Comm. - Discussion and/or Action
 - 1. Local Board of Appeals for Building Code
 - One five year term to expire 6/2015

Councilor W. Steere stated that this is the position of William Buote-Greig.

(From the Code of Ordinance Chapter 59.2 Membership A. The Building Code Board of Appeals shall consist of five members with appointed five-year terms as per the Enactment, with appointments in June. One shall be an architect. Two shall be professional engineers.

One shall be a building official not from the municipality from which the appeal is taken, except that a member of the general public may be substituted for the building official. One shall be a builder or superintendent of building construction.)

Councilor Sette stated that Mr. Buote-Greig was the architect on this board and recommended that the Council table the appointment until somebody with those qualifications submits a talent bank application.

MOTION was made by Councilor Sette to TABLE the appointment to the Local Board of Appeals for Building Code, One five year term to expire 6/2015, seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

D. Amendments to Town ordinances and/or State law re: the assessment and collection of taxes on manufactured or mobile homes - Discussion and/or Action

Councilor W. Steere stated that the Solicitor was asked to review and propose a solution after discussion with Council and the Tax Collector. Councilor W. Steere also stated the Solicitor has recommended the following Resolution, and if Council approves it can be adopted by reading and a second.

Tim Kane explained that there is a problem with collecting taxes on mobile homes. T. Kane noted that unlike real estate, taxes do not run with the mobile homes, therefore if somebody sells a mobile home, there is no process to collect unpaid taxes. T. Kane stated that this amendment would provide a codified process. Also, T. Kane stated that the taxes owed would become a lien on the mobile home.

Councilor Sette stated that this is a problem in other communities and suggested that this Resolution be submitted to the League of Cities and Towns for support. Councilor Burlingame stated that the Resolution should be forwarded to our State representatives right away.

Councilor Reichert read the following into the record:

Resolution 2013-01

Supporting Legislation – Amendments to §44-7 Collection of Taxes Generally

NOW THEREFORE BE IT RESOLVED; that the Town Council of the Town of Gloucester does hereby respectfully request that §44-7 entitled “Collection of Taxes Generally” be amended as follows:

SECTION 1. Section 44-7-11 of the General Laws in chapter 44-7 entitled “Collection of Taxes Generally” are hereby amended by adding the following subsections and section to read as follows:

44-7-11 (j) *Glocester.* In the town of Gloucester, the tax collector shall, upon application for any municipal lien certificate for taxes assessed against a mobile or manufactured home furnish a tax certificate setting forth all taxes which at the time are due and payable to the town on account of any owner of any mobile or manufactured home referenced in the application. The municipal lien certificate for mobile and manufactured homes shall be processed in accordance with subsection (a) as set forth above. The closing agent presiding at the closing on any transfer of a mobile or manufactured home shall collect all sums due as set forth on the tax certificate and transmit the sums to the tax collector along with the forwarding address of the owner transferring the mobile or manufactured home.

44-7-27 (a) Taxes assessed against any person in the Town of Gloucester for either a mobile or manufactured home shall constitute a lien on the mobile or manufactured home. The lien shall arise and attach as of the date of assessment of the taxes, as defined in §44-5-1.

(b) The lien shall terminate at the expiration of twenty (20) years. The lien shall be superior to any other lien, encumbrance, or interest in the mobile or manufactured home whether by way of attachment or otherwise.

SECTION 2. This act shall take effect upon passage and shall apply to taxes assessed December 31, 2012 and thereafter.

BE IT FURTHER RESOLVED that we, the Town Council of the Town of Gloucester, do respectfully request that our legislative delegation support passage of these amendments.

Walter M.O. Steere, III, President, Gloucester Town Council

ATTEST: Jean Fecteau, CMC, Town Clerk

Seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

It was noted that the Solicitor has also proposed two Code of Ordinance Amendments that are along the same lines regarding this taxation.

MOTION was made by Councilor Burlingame to place a 1st reading for proposed amendments to the Code of Ordinance on the agenda of February 7, 2013 as follows: Chapter 208, Mobile Homes & House Trailers, Section 4. Addition of section l & m; and Chapter 145 Building Permits, Section 1.c amendments;
seconded by G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

E. Appointments

1. Public Works - Discussion and/or Action
Mechanic - Truck and Equipment

Councilor W. Steere stated that the Council received the following letter from the Public Works Director:

January 14, 2013

To: Honorable Town Council

From: Gary S. Treml

Director of Public Works

Re: Appointment of John Tucker to the position of "Mechanic - Truck and Equipment"

With the retirement of Doug Colwell, Assistant Director of Public Works, there currently is a vacant position within the Public Works Department. I am requesting that we fill the vacancy with the position of Mechanic - Truck and Equipment.

This position was advertised in the Bargain Buyer on December 26th, 2012, with a closing date of January 4th, 2013. Seven applications were received. Four of the applications were from Gloucester residents, of which three were interviewed.

Interviews were conducted on January 14th, 2013 at the Public Works office by myself and Thomas Mainville Director of Human Resources. Although two of the applicants were well versed in the automotive field, they were limited when it came to equipment and trucks larger than a Ford F-350.

After careful consideration we felt John Tucker was the most qualified for the position as he has vast knowledge of and experience with diesel engines, drive trains, and fleet management.

I request that, considering his knowledge and experience working with large heavy-duty trucks and equipment and his time spent working part-time for the Town, Mr. Tucker be appointed to the position of Mechanic-Trucks and Equipment effective Tuesday, January

22, 2013 at a wage rate of \$22.51 per hour (the current step 4 rate). He would follow the remaining step process time frames.

Respectfully submitted,

Gary Trembl
Director of Public Works
(end of memo)

Discussion: None.

MOTION was made by Councilor Reichert to APPOINT John Tucker to the position of Public Works Mechanic - Truck and Equipment, effective January 22, 2013, Step #4 at a rate of \$22.51 per hour; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Appt. for Term Concurrent with Council
 - a. Senior Center Director

Councilor W. Steere explained that this appointment was inadvertently left off the list of appointments made at the last Council Meeting.

MOTION was made by Councilor Burlingame to APPOINT Fran Ballou to the position of Senior Center Director for a two year term to run concurrent with the Town Council; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

- F. Progress report on ball field grant/land acquisition - Discussion and/or Action

Councilor W. Steere stated that he has been asked by several people what is the status of this grant.

Ray Goff, Town Planner, stated that the owner of the property has defaulted on his mortgage and is now trying to regain the property. R. Goff stated that he has tried to contact the property owner's attorney, but has not received a call back. R. Goff noted that there are other properties available and we have until next November to do something with the grant money.

Councilor W. Steere asked if the grant is specific to that particular property due to its location. R. Goff replied in the affirmative and stated that he will do his best to make sure that we do not lose the grant. R. Goff stated that another piece of property would have to meet certain criteria. Tim Kane stated that he will call the property owner's attorney to obtain more information before the next meeting.

X. Department Head Report/Discussion Bds. & Commissions - Discussion

1. Jean Fecteau, Town Clerk, gave the Council a request from our Tax Assessor asking Council to contribute to the Tax Assessor's Association's conference brochure with an advertisement. It was stated that Viviane Valentine is the president of the Tax Assessor's Association and it would be a good idea to contribute. There was Council consensus to support this request and to take the funds from the Council Contingency Fund. T. Kane stated that this can be ratified at the next meeting.

Jean Fecteau has received requests from two businesses for special event licenses (one would like events to be held at least 4 times per year and the other would like twice a month from April to October). J. Fecteau asked if the Council would like to consider working with the solicitor on an amendment to the special event ordinance or just handle each request with an application and a public hearing.

Jean Fecteau stated that the State of Rhode Island has informed her that they will no longer supply equipment for the maintaining of the state voter database. We will have to use our own equipment when the equipment provided breaks down. J. Fecteau will work with our IT personnel to determine what this could mean in potential costs for the future or if this software can be used on the Town's computers, in addition to maintaining a printer and a scanner.

2. Councilor Sette referred to the monthly report submitted by R. Goff, Town Planner, asking how much additional funding will be needed for the Comprehensive Community Plan Update. R. Goff replied that another \$24,000 will be needed for consulting services.
3. Roy Najecki of the Conservation Commission stated that at their last meeting, Mike Ahnrud was elected as Chair and Roy Najecki was appointed to serve as Land Trust designee. R. Najecki stated that he thought that legislation was passed which gave the Town Council the authority to appoint the designee from both the Conservation Commission and the Planning Board. T. Kane stated that this is correct. There was Council consensus to place these appointments on the next Town Council agenda.
4. Councilor G. Steere asked Walter Steere, Jr., School Committee member, if the capital lease issue is up for discussion. W. Steere, Jr. replied that he has spoken with the Business Manager, who will be contacting the Council soon to set up an informational meeting.

Councilor G. Steere also stated that at the last meeting, it was stated that students are being taught about single-stream recycling and then they go home and tell their parents to recycle one way when we actually cannot do it that way. Councilor G. Steere asked why the students are not taught the right way. Anne Ejnes, School Committee member, stated that she was not aware that the students were being taught about single-stream recycling. Councilor Sette stated that he would like to meet with Gary Treml and Councilor G. Steere regarding new information about recycling cardboard.

There was discussion regarding student population. W. Steere, Jr. explained that Foster lost twenty students and Glocester gained six students, resulting in an additional \$200,000 cost to Glocester. Councilor Burlingame asked W. Steere, Jr. to compile some figures regarding student population for each Town over the last several years. After a lengthy discussion, Anne Ejnes suggested scheduling a workshop with the School Committees and both Town Councils in order to do some long-term planning.

Councilor Reichert asked Anne Ejnes if she had any new information regarding the possibility of installing solar energy panels on the school buildings. A. Ejnes replied that there was a proposal that panels be placed on the roofs of four schools for which we would receive \$10,000 per year in lease payments. A. Ejnes stated that there is another group that does the same thing who will also conduct a presentation. A. Ejnes noted that there are many concerns about whether it is worth the \$2,500 per year per building.

XI. Council Correspondence/Discussion

- A. Councilor W. Steere stated that correspondence was received from the Small Business Administration regarding two small business loans in Glocester.
- B. Councilor W. Steere stated that correspondence was received from the Harvard Kennedy School with regard to the Hassenfeld Family Foundation Rhode Island Public Service Fellowship.
- C. Councilor W. Steere stated that a letter was received from the Auditor General stating that an audit is being conducted of the Western Rhode Island Home Repair Program.
- D. Councilor W. Steere stated that correspondence was received from residents of two private roads requesting snow plowing services.
- E. Councilor W. Steere stated that official 2012 Election results were received. Councilor Sette pointed out that he asked for this information to determine if there is an impact with regard to the master lever. Councilor Sette noted that there were over 5,100 under-votes for the office of Town Council. Councilor Sette stated that if the master lever was eliminated, it would force the voter to look at each candidate as opposed to political party.

- F. Councilor W. Steere stated that a request was received from the Rhode Island Public Transit Authority for use of the Senior Center for a public meeting on March 4th. Councilor W. Steere stated that either a Council member or a member of the Board of Directors will have to sponsor the request.
- G. Councilor Sette stated that a summary of the Governor's Budget address indicates that there is a municipal incentive aid program which deals with retirement funding. Councilor Sette explained that communities that have complied with the requirements thus far received a portion of money to keep their programs healthy. Councilor Sette stated that money will be available in the next two years provided certain requirements are met. Councilor Sette stated that Glocester also received \$220,000 to improve local roads.

XII. Open Forum

- A. Bill Dupuis stated that tonight's meeting had more camaraderie than the previous meeting, where you could cut the tension with a knife. B. Dupuis expressed his opinion that political affiliations should be left at the door and everyone should work together. B. Dupuis stated that Councilor W. Steere has an "ax to grind". Councilor W. Steere took offense to the remark. B. Dupuis stated that not appointing Mr. DeGrange to the Planning Board is insulting and asked the Council to reconsider. B. Dupuis was informed that the position was filled tonight when the Council appointed David Laplante.
- B. George Charette spoke regarding the Kent property. G. Charette stated that he had discussion with several people to get ideas of how to utilize the property before 2019, when the property will revert to another owner. G. Charette stated that everyone felt positive about moving forward and doing something with the property so we don't lose it.

XIII. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 10:06 p.m.; seconded by Councilor Reichert.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the February 17, 2013 Town Council Meeting.

At a Workshop of the Town Council holden in and
for the Town of Gloucester on **February 6, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President;
George O. (Buster) Steere; and Steven A. Sette.

Member Absent: Edward C. Burlingame

Also present: Jean Fecteau, Town Clerk; Michael Barnes, Superintendent; Sarah
Mangiarelli, Business Manager

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Workshop- Discussion

A. Foster/Glocester Regional School Budget 2013/2014

1. Proposed Budget - Discussion and/or Action

Sarah Mangiarelli, gave an overview of the Regions proposed budget for 2013-2014. S.
Mangiarelli noted that some changes were budget to budget changes and do not reflect actual.

The following items were noted:

The revenue side of the budget shows a decrease of approx. \$15,000 in Unrestricted State
Aid; Housing Aid shows a projected increase for capital projects reimbursement due to an
assumption of project completion by June 30, 2013 as different jobs are going out to bid
soon; an increase in Federal Aid due to new budgeting requirements; increase in cost
sharing for Foster/Glocester due to the new position of Data Manager that the two
elementary schools are using right now; increase in tuition income based on student
projection; a \$12,000 local appropriation decrease which is a worst case scenario. S.

Mangiarelli stated there is a projected use of debt service set aside funds in the amount of
\$15,000 in accordance with a long range plan.

S. Mangiarelli explained the Transportation pass through (funds go to the elementary) as 66% to
Glocester and 34% to Foster.

S. Mangiarelli proceeded on to the expenditures in the budget. Highlights: there is a 2% increase
in top step staff and administrators and a 1.5% increase in the non certified staff; staff needs are
still being reviewed compared to population and course selections; there is a 0% increase in
health & dental benefits; discussion followed on insurance providers; a minor program budget
increase in education; there is an investment shown in technology.

S. Mangiarelli explained a the technology plan which is purposed to be phased in with a three year time frame and the career and tech program with the STEM program (Technology plan was distributed); professional development was slightly increased. S. Mangiarelli stated there is a slight decrease in central office facility operation due to the payoff of the capital lease; as well as a decrease in the district wide facility operations primarily to the energy management cost decrease (that was the 13 year agreement with con-ed that we negotiated out of last year). S. Mangiarelli stated the focus in this budget is student use technology.

Supt. Barnes explained his work towards adding to our current curriculum to be able to help jump start the college career of our students and save parents some funds for college courses.

S. Mangiarelli discussed the Con-Ed oversight plan which was negotiated for 13 years at \$ 69,000. S. Mangiarelli explained paying that expense off represented a significant savings (\$897,000 over 13 years)

S. Mangiarelli explained in the past five years we have saved over \$600,000 in out of district tuition. A Special Education teacher was hired but currently there are 3 students tuitioning in at approx \$140,000 which covers the teacher cost. (Our students stayed in our schools)

Dr. Barnes explained the plan to add academies in our schools that are reflective of the jobs available and, once approved by the RI Dept. of Education, it would authorize us to tuition students, from other districts, into our schools thereby realizing that revenue.

S. Mangiarelli stated there is a slight decrease in Utilities (\$150,000) over prior years. Budget shows a slight increase but will probably be less in the next budget version.

S. Mangiarelli stated there is a set aside of \$100,000 liability for OPEB.

S. Mangiarelli explained the restructure of the Business Office stating that her position will go to part time and an assistant accountant will be hired for two days a week. Staffing adjustments are being reviewed.

S. Mangiarelli explained this budget, as prepared, would mean a \$12,145 decrease to taxpayers, (which is a decrease to Foster of \$262,000 and an increase to Glocester of \$250,00 due to a shift in population)

S. Mangiarelli discussed the enrollment numbers and explained how the percentage for each community is reached.

Councilor G. Steere questioned at what point do these numbers change.

Supt. Barnes explained the proration chart he had prepared and explained that each grade has some population movement. Supt. Barnes also explained, per the charter, the student numbers used in the analysis is taken from the actual population in June 30th. Councilor Sette stated it may be easier if the charter were amended to allow this population to be determined as of Oct 1st of each year. S. Mangiarelli stated doing it this way shows an actual number.

Councilor Sette stated there are fixed costs and the only variable is the number of students. Councilor G. Steere stated the fluctuation in each town's share wouldn't be as great if you could separate out fixed costs thereby making the shift from year to year less painful.

Discussion regarding ways to assess proration followed.

Councilor Sette questioned if this was a year for employee contracts.

Supt. Barnes explained this was year 2 of a 3 year contract for teachers, and year 1 of the contract for non-certified staff.

Councilor G. Steere questioned if there had been a \$150,000 savings on fuel oil as shown.

S. Mangiarelli stated that was a savings of all utilities, including electricity.

Councilor G. Steere questioned if this was a savings just for last year.

S. Mangiarelli stated no, it was based on an approx. 3-4 year projected lighting savings. S. Mangiarelli stated that purchasing oil futures and the mild weather had been helpful.

Councilor Sette questioned future enrollment numbers.

Supt. Barnes stated that over the next four years a substantial drop in the high school population was projected.

Supt. Barnes explained when any additional space becomes available the new technology program will be able to utilize this space.

Career Tech was discussed.

Supt. Barnes stated money was put towards programs so more can be offered in house and that they are currently waiting for RIDE approval.

Supt. Barnes stated, once approved, our schools may be able to bring in students (revenue) from other areas.

Councilor W. Steere asked what the time frame was for that.

Supt. Barnes stated that RIDE is working on reviewing and that we have sent in 18 programs for review.

Supt. Barnes distributed a Technology Plan he is working on towards implementing and the costs involved were discussed.

Councilor Sette questioned if this plan would shift costs that would ordinarily go for the purchase of books.

Supt. Barnes replied in the negative as we have not been purchasing text books. Supt. Barnes explained the state is switching its standard of teaching so until that is determined books will not be purchased.

S. Mangiarelli stated that the question was then how to fund the new technology plan, the options being: Take \$165,000 out of the equity and draw down unrestricted ; or an increase to taxpayers .

S. Mangiarelli explained that each year every line item is reviewed. S. Mangiarelli also explained what she felt was the regions obligation and the reasons for acquiring a capital lease as opposed to bonding. S. Mangiarelli stated it was the only option to fulfill obligations during the building project.

S. Mangiarelli stated that when they took on the capital lease we said we would absorb that payment into our operating budget at no additional costs to taxpayer. (Handout) S. Mangiarelli stated we show in the 2009/10 - 2010/11 budget no increase to operations for debt service or operation, therefore, we had to make cuts to get that \$165,000 added into the budget ...cutting education to pay for a building project.

S. Mangiarelli stated that by fiscal year ending 2012 we had unrestricted surplus (approx. 1.3 million), we inquired as a pay off for that capital lease and found we would have a \$75,000 interest savings, so we paid it off. S. Mangiarelli stated she felt it was the best way to reduce an expense that adds no value to the district and, rather than keeping cap lease on the books, we thought this was the most responsible way to handle this funding.(S. Mangiarelli stated the School comm approved paying off capital lease.)

Supt. Barnes stated we try to spend wisely, by eliminating wasteful spending, making the right purchases for the students and this budget is also based on technology. Dr. Barnes reviewed the options they had to fund the technology plan: keep capital lease and ask for increase or keep capital lease and pay out of fund balance, both options would have cost us 75,000 in interest.

Discussion followed on how important teaching technology is and how it has become an ongoing line item.

S. Mangiarelli explained, in this budget, there are no additional costs to the tax payers and a \$12,000 decrease is a worst case scenario.

S. Mangiarelli explained that the debt service payment is not the same as this capital lease and she is confident it wouldn't be treated that way in the future. S. Mangiarelli stated this capital lease was absorbed into our operating budget, we did not ask for more, as we knew it was a bad situation. S. Mangiarelli stated when that debt service drops off (2020-2021 goes down by one point) she didn't think anyone in the room would suggest we put that money into operations, as there is no way to justify transferring it to operations.

S. Mangiarelli stated the following: this situation was separate and distinct; she acknowledges because they are a regional school district it is technically factored into that maintenance of effort

because we are paying that debt; when debt service fluctuates we do factor that into calculations of debt service set aside; and we acknowledge that these bonds are completely different than this capital lease payment. S. Mangiarelli stated she feels that it was the fiscally responsible way to go.

Councilor Sette stated he was on the school committee then and, at that time, they had said it would be an “operating expense” which would have to be absorbed through cuts as because of overruns there had to be some pain to the school district. Councilor Sette stated the decision was made to make the cuts on an annual basis and questioned why it wasn’t taken out of reserve at that point. S. Mangiarelli stated we couldn’t take it (1 million) out of reserve and our cash flow was tight (due to Foster’s six month time lag in payment). Again, S. Mangiarelli stated this was the only way out.

Councilor G. Steere stated you have been strapped so tight since paying this out of your operations, but members of the building committee/school committee admitted they were spending more money that they had. Councilor G. Steere stated he did not feel bad as the school committee put themselves in that position.

Councilor G. Steere stated that with the spending on the building project that the district absorbed ,without going to taxpayers, the region still has built a surplus despite the sentiment that you were strapped. Councilor G. Steere stated you still have a million plus in your surplus. Councilor G. Steere stated he still feels that money should come out and even with the saving money on energy, you still need to keep that debt money in your budget.

S. Mangiarelli explained the “flukes” that enabled the region to build a surplus. S. Mangiarelli also referred to State cuts and budget freezes. S. Mangiarelli also explained the measures she took to present a responsible budget even in the face of housing cuts and further stated they have been conservative while presenting four budgets with a zero or less that 1% increase. S. Mangiarelli stated they have focused on every possible way to bring forward a responsible budget.

S. Mangiarelli stated she understands the frustration of the situation (building new school) as only six months after starting with the region she was telling the committee that at a minimum they were already over 1 million dollars, and it was not acknowledged for another 6 months.

Supt. Barnes stated he wouldn’t say the region has “fluff” in their budget , but that multi year and strategic thinking were missing and it has taken at least four years to fix some of the issues created by this lack of forward thinking. Supt. Barnes he has worked on how to move the district forward while being simultaneously responsible/

Councilor Sette stated he is pleased to see the funds going for education instead of bricks and mortar.

Councilor Sette stated legislation has been introduced that would reinstate regional bonuses and changes in the funding formula.

Councilor W. Steere questioned if the Supt. had presented this proposed budget to Foster. The response was negative.

Councilor G. Steere questioned if the energy savings could pay for ESCO debt service. S. Mangiarelli stated she has this information and will forward to Councilor Steere.

IV. Adjourn

MOTION was made by Councilor G. Steere to ADJOURN at 9:08 p.m.; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Sette and Reichert

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the April 4, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **February 7, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Member Absent: William E. Reichert, Vice-President.

Also present: Susan Harris, Deputy Town Clerk; Tim Kane, Assistant Town Solicitor; Thomas Mainville, Finance Director; Joseph DelPrete, Chief of Police; Ray Goff, Town Planner; Gary Treml, Director of Public Works; Jane Steere, Tax Collector; Judy Branch, Director of Human Services; and Walter Steere, Jr., School Committee member. Jean Fecteau, Town Clerk, arrived at 8:30 p.m.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum for Agenda Items

None.

V. Consent Item - Discussion and/or Action

A. Town Council Minutes - January 3 & 17th, 2013

MOTION was made by Councilor Sette to ADOPT the Town Council minutes of January 3rd & 17th, 2013; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VI. Unfinished Business

A. Board and Commissions

1. Appointments - Discussion and/or Action

a. Community Resource Commission -

1. Two Alternate one year terms

Councilor W. Steere stated that he has not received a recommendation from the chair of the Commission.

MOTION was made by Councilor Burlingame to TABLE the appointments to the Community Resource Commission for two alternate one year terms; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

b. Local Board of Appeals for Building Code

1. One five year term to expire 6/2015

MOTION was made by Councilor Sette to TABLE the appointment to the Local Board of Appeals for Building Code; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Main Street construction: waterline - Discussion and/or Action

Councilor Sette stated that this idea is not feasible at this time and recommended that the matter be removed from the table. Councilor Sette added that if there had been more time before the start of the construction, this would have been a good project which would not have cost much to the taxpayers.

Councilor Burlingame suggested that while waiting for the road construction to be completed, we should begin to structure some ideas regarding organization and management of a waterline. Councilor G. Steere noted that if time had allowed, we could have put in laterals and water mains on our own, adding that after the construction, it will be much more costly.

MOTION was made by Councilor Sette to REMOVE from the table the discussion regarding Main Street Construction: Waterline; seconded by Councilor G. Steere.

Discussion:

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. Land Trust -Discussion and/or Action
Rules & Regulations Update and/or Adoption

Discussion:

Bruce Payton, chair of the Land Trust, stated that the Trustees have voted to reject all of the Rules and Regulations in a motion made by Tom Bazalak, seconded by Mark Karmozyn and passed unanimously by all members.

B. Payton explained that the Land Trust has issues with the changes and will go over them and rework them at the next meeting of the Land Trust. Councilor W. Steere asked which items the Land Trust had issues with. B. Payton replied that all of the changes were rejected. Tim Kane, Assistant Town Solicitor, stated that without knowing specifically what was unacceptable, he cannot respond. B. Payton stated that the change in wording from “will” to “shall” was an issue. B. Payton also noted that the Land Trust wanted the Code of Conduct included in the Rules and Regulations.

Councilor W. Steere stated that it would make sense for all parties to meet and discuss these issues together rather than go back and forth between the groups. Councilor Sette stated that this item has been on the agenda for so long and suggested that discussion be suspended until a workshop can be held. Councilor Sette stated that it must be taken care of once and for all and recommended that all land purchases be placed on hold until such time as a resolution is reached.

B. Payton expressed agreement. T. Kane stated that the Council and the Land Trust are not that far apart and should be able to finish up the Rules and Regulations soon.

Regarding the Code of Conduct, T. Kane stated that there would be problems with enforcement. Councilor Burlingame agreed, stating that we already have this in place for Town employees. Councilor Burlingame spoke regarding the difference between the words “may” and “shall”, stating that if the word “may” is used, it would not really be rules and regulations. Councilor Burlingame stated that there have been problems brought on by third party organizations because there is no direct accountability to the Council.

Councilor Sette stated that the Council has a financial responsibility for the taxpayers’ money. After discussion, there was consensus to schedule a joint workshop with the Land Trust for February 20th.

D. Progress report on ball field grant/land acquisition - Discussion and/or Action

Ray Goff, Town Planner, reported that there has been discussion with the property owner’s attorney. Tim Kane, Assistant Town Solicitor, stated that he has sent correspondence to the attorney, George Babcock, indicating that a land deal must be completed by May 30, 2013, or the Town would be in danger of losing the DEM grant. T. Kane advised the Council that if a response is not received within a month, they should begin seeking an alternate parcel of land.

VII. New Business

A. Boards & Commissions

1. Resignations - Discussion and/or Action

a. Historic District Commission

One unexpired 3 year term to expire 11/2014

Councilor W. Steere stated that the Clerk has received and filed the resignation of Anne Smith from the HDC.

MOTION was made by Councilor G. Steere to ACCEPT the resignation of Anne Smith from the Historic District Commission for the three year term to expire 11/2014; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

b. Recreation Commission

Two un-expired two year terms to expire 1/2015

Councilor W. Steere stated that the Clerk's office has received and filed the resignation of Doug Lovett and has been informed by the Recreation Director that Gary Martinelli also wishes to resign.

MOTION was made by Councilor G. Steere to ACCEPT the resignation of Gary Martinelli & Doug Lovett from the Recreation Commission for two year terms to expire 1/2015; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Appointments

a. Land Trust

1. Two expired (2/2013) five year terms to expire 2/2018

Councilor W. Steere stated that these appointments are for the expired five year terms of Bruce Payton & Tom Bazalak. The Chair has advised the Clerk that Tom Bazalak does not wish to be reappointed.

Councilor G. Steere noted that Councilor Reichert is not present and suggested that these appointments be tabled until the next meeting. Councilor Sette pointed out that after the workshop is held to finalize the Rules and Regulations, there may be members who will resign.

MOTION was made by Councilor G. Steere to TABLE the appointments to the Land Trust; for one five year term to expire 2/2018; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Two expired (2/2013) one year Member-at-Large terms to expire 3/2014
(Planning Board & Conservation Comm. Chair or designee)

Councilor W. Steere explained that these two positions are the expired terms of the members at large. Currently they are Russell Gross from the Planning Board & Roy Najecki from the Conservation Commission.

Councilor G. Steere stated that these appointments should also be tabled until after the joint workshop of the Land Trust and Town Council. The other Councilors agreed.

MOTION was made by Councilor G. Steere to TABLE the appointments to the Land Trust to fill the One year Member-at-Large positions representing the Planning Board and Conservation Commission; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

- b. Historic District Commission
One unexpired 3 year term to expire 11/2014 and
One unexpired one year Alternate term to expire 11/2013

Councilor W. Sette stated that the Chair has recommended the current Alternate member be appointed to the regular term.

MOTION was made by Councilor Burlingame to APPOINT Michael Robinson to the Historic District Commission for the unexpired regular three year term to expire 11/2014; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

Councilor W. Steere noted that the Chair has forwarded a recommendation to the Council. Council has previously received a talent bank application from the candidate, Diana Seaver.

MOTION was made by Councilor Burlingame to APPOINT Diana Seaver to the HDC to the one year alternate position, term to expire 11/2013; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

- c. Recreation Commission
 - Two unexpired 2 year terms to expire 1/2015

Councilor W. Steere stated that the Council has received a recommendation from the Recreation Director, Steve Ricard and Steve Alexander, both of whom have submitted talent bank applications.

MOTION was made by Councilor Sette to APPOINT Steve Ricard and Steve Alexander to the Recreation Commission for two year terms to expire 1/2015; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

- d. Conservation Commission
 - 1. One expired (2/2013) 1 year Alternate term to expire 2/2014

Councilor W. Steere explained that this appointment is the expired term of Jacob Bailey . The Chair has stated Mr. Bailey would like to be reappointed.

MOTION was made by Councilor G. Steere to REAPPOINT Jacob Bailey to the Conservation Commission for a one year Alternate term to expire 2/2014; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

- B. Foster/Glocester Regional Budget: FY 2013/2014
1. Capital Lease/Debt Service - Discussion and/or Action
 2. Overall Budget proposal - Discussion and/or Action

Discussion:

Councilor W. Steere stated that the Council had a meeting with the Business Manager and the Superintendent of the Foster/Glocester Regional School Department to review the budget for Fiscal Year 2013/2014.

Councilor G. Steere stated that the budget is still being worked on, but he is disturbed that the Maintenance of Effort has not been reduced by \$165,000 to reflect that the Capital Lease is getting paid off. Councilor G. Steere stated that the Council worked hard to get legislation passed so that debt service and capital leases would come out of the budget and not be allowed as a part of the Maintenance of Effort.

Councilor G. Steere noted that even if the \$165,000 was subtracted from the proposed budget, it is still up \$152,000 from last year's budget. Councilor G. Steere stated that the School Department should not try to skirt around the law which was passed to protect the taxpayers of Glocester and Foster. Councilor G. Steere stated he does not like the way "they" are going about it.

Councilor Burlingame stated that he has reviewed the spreadsheets and commented that the energy savings from the Esco looked like there was an estimated return of only 4 or 5 million dollars over a 20-year period for the 12 million dollars plus interest that we paid for it. Councilor Burlingame stated that he would have preferred to see a budget with the \$165,000 capital lease removed and replaced with a proposed technology reserve.

Councilor Sette stated that he was on the School Committee when the capital lease was put in the Operating Budget and explained that it was done to make it further debt under debt service, and not to allow another million dollars of debt to the taxpayers. Councilor Sette stated that in this Budget, there is a reinvestment back to the students' education.

Councilor Burlingame expressed hope that the School Department will be up front with the voters in requesting that the \$165,000 be placed in Operations for technology for the students.

Councilor G. Steere stated that the proposed budget is up \$152,000, despite the law which was passed. Councilor G. Steere commented that the Region has built up a surplus over the last several years and will be saving \$75,000 by paying off the debt three years early. Councilor G. Steere added that student population is down 82 more this year, in addition to the two or three hundred over the last five years.

Councilor Sette pointed out that the wording is "Capital Lease/Debt Service," adding that the implication is that if it was debt service, it would come off the books. Councilor G. Steere replied that the law reads, "For the purposes set forth above non-recurring capital lease payments shall be considered non-recurring debt service." Councilor Sette stated that it will be up to the voters, but he is happy to see money being invested in education instead of bricks and mortar.

Councilor G. Steere agreed, but stated that the budget should be presented as the \$165,000 coming out of maintenance of effort and \$152,000 needed to implement the technology program. Councilor Sette encouraged all voters to attend the financial meeting, adding that otherwise, things just keep getting passed. Councilor Sette stated that he suggested an all-day referendum on the vote as is done in the Chariho School System. There was Council consensus that the Regional Charter should be amended.

C. Support of Burrillville Resolution - Discussion and/or Action
Elimination of Master Lever Voting

Councilor W. Steere read the following request received on behalf of the Burrillville Town Council asking for support of legislation to eliminate Master Lever Voting:

At the regular meeting of the Burrillville Town Council held Wednesday, January 23, 2013 at 7:00 p.m. in town council chambers, 105 Harrisville Main St., Harrisville, RI, the Burrillville Town Council adopted a resolution in support of Senate Bill 2013 – S0044 and House Bill 2013 – H5072, acts that would delete the option of straight party voting by means of a single mark in non-primary elections. A copy is attached, along with copies of the legislation.

The town council respectfully requests that the councils of the Rhode Island cities and towns join them in supporting these bills.

Thank you.

Louise R. Phaneuf

Burrillville Town Clerk

(end of memo)

Councilor W. Steere expressed his support for this legislation, adding that the Master Lever causes confusion at the polls. Councilor Sette stated that Glocester had over 5,000 under-votes, possibly due to the Master Lever. Councilor Sette stated that in the election of Town Council for instance, voters may not have realized that they could have voted for five candidates, and perhaps used the Master Lever. Councilor Burlingame stated that he also endorses the elimination of Master Lever Voting, noting that the Secretary of State is in favor of the legislation.

MOTION was made by Councilor Burlingame to endorse the Elimination of Master Lever Voting and to adopt a Resolution at the next Town Council meeting; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

- D. Ratify consensus for Contribution & Adopt Resolution for ad Discussion and/or Action
NRAAO/RIAAO Regional Conference

Councilor W. Steere stated that our Tax Assessor currently serves as the President of the Northeastern Regional Association of Assessing Officers. Councilor W. Steere also stated this spring the Regional conference will be hosted by Rhode Island. Councilor W. Steere stated this resolution when adopted will be placed in the conference program book and the expenditure for this is \$300. Councilor W. Steere stated Council has a consensus to expend these funds from the Contingency Fund to help defray the group's costs.

Councilor Burlingame read the Resolution into the record:

Resolution 2013-02

WHEREAS: The Gloucester Town Council would like to recognize the Northeastern Regional Association of Assessing Officers. This organization is made up of members from twelve northeastern U.S. states & six Canadian Provinces whose mission includes educating and training its Assessing Officials. The NRAAO, as an affiliate of the International Association of Assessing Officers, also strives to improve the standards of assessment practices and fosters the more efficient and uniform administration of tax laws; and

WHEREAS: The Council is proud to acknowledge the current President of this Association is the Tax Assessor of the Town of Gloucester:

*Viviane L. Valentine, RICA
NRAAO President*

WHEREAS: in 2013 the NRAAO is holding its 2013 Education Conference in Rhode Island. The members of the Town Council know how much hard work and dedication goes into hosting this event and we appreciate the hours the committee has worked to showcase Rhode Island; and

WHEREAS: the dollars needed to fund these educational events is not provided to the members of the Rhode Island Association of Assessing Officers without their work through fundraisers and contributing sources; and

NOW THEREFORE BE IT RESOLVED, the Gloucester Town Council and the Town Clerk wish to congratulate our Assessor, the RIAAO and the NRAAO for their continued success and we hope our contribution can help your efforts with "Set Your Sets on Newport 2013."

Walter M.O. Steere, III, Council President
William E. Reichert, Vice President
Edward C. Burlingame, Councilor
George O. Steere, Jr., Councilor
Steven A. Sette, Councilor
Jean M. Fecteau, Town Clerk

seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

MOTION was made by Councilor G. Steere to AUTHORIZE the expenditure of \$300 from the Town Council Contingency Fund payable to the NRAAO 2013; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

E. Gloucester Code of Ordinance

1. Amendments to Town ordinances and/or State law re: the assessment and collection of taxes on manufactured or mobile homes - Discussion and/or Action

Tim Kane, Assistant Town Solicitor, stated that a Resolution was sent to our legislative delegation regarding the assessment and collection of taxes on manufactured and mobile homes. T. Kane further stated that the Council was also considering making changes to our local Ordinance which would prohibit the issuance of demolition permits for mobile homes unless the taxes were paid.

T. Kane noted that there would be a change in the Mobile Home Licensing Ordinance which would make non-payment of Town taxes grounds for eviction. T. Kane explained that he has prepared a Resolution regarding enabling legislation to avoid a challenge in the future. T. Kane advised the Council not to take action on this matter tonight and to table it indefinitely or remove it from the table.

2. Proposed Amendments - First Reading - Discussion and/or Action
 - a. Chapter 208 Mobile Home & House Trailers, Sect. 4
 - b. Chapter 145 Building Permits, Section 1.c

MOTION was made by Councilor Burlingame to REMOVE FROM THE TABLE the Proposed Amendments - First Reading a. Chapter 208 Mobile Home & House Trailers, Sect. 4 & b. Chapter 145 Building Permits, Section 1.c; seconded by Councilor G. Steere.

Discussion:

Roger Ross, attorney representing RLM II LLC, owner and operator of the Village at Chopmist Hill Mobile Home Park, spoke regarding the proposed amendments. R. Ross stated that he received a copy of the Resolution drafted by Tim Kane. R. Ross stated that his client has two (2)

concerns with the Resolution. Atty. Ross asked for clarification of the term “property owner”, stating that this could mean the owner of the mobile home as well as the owner of the park itself. T. Kane stated that the word “property” could be removed and replaced with “mobile or manufactured home”. Atty. Ross replied that this would serve his client’s purpose.

Atty. Ross stated that the other issue is more consequential. Atty. Ross explained that occasionally a mobile home owner will abandon the home if they are in arrears in taxes. Mr. Ross further stated the park owner then can file an eviction notice and get a judgement; however in order to obtain a demolition permit to remove the mobile home, the cost of the back taxes would be the responsibility of the park owner.

Atty. Ross expressed his opinion that the owner pays taxes on the land and should not have to absorb the unpaid personal property taxes. Atty. Ross noted that the Village at Chopmist Hill goes out of their way to be cooperative with the Town in every possible way. Atty. Ross stated that he understands the Town’s problem regarding unpaid property taxes, but feels that this is not a fair resolution to the problem.

Councilor Burlingame commented that without this legislation, the only recourse the Town has if the owner abandons the property is to abate the unpaid taxes as there is no mechanism to collect. Councilor Burlingame noted that if the owner of a motor vehicle does not pay his taxes, the vehicle is tagged at the registry and it cannot be registered until the taxes are paid.

Councilor Burlingame stated that we need a mechanism to ensure that the taxpayers will not have to write off unpaid taxes when the owner of a mobile home decides to skip out. Councilor Burlingame stated that people who live in the mobile home parks have children in the school system and somebody has to pay for their education.

Roger Ross stated that he does not disagree with the principle, but asked why it is his client’s obligation. R. Ross added that his client is no different than any other land owner in town in terms of the personal property taxes of their tenants.

Tim Kane, Assistant Town Solicitor, stated that the incentive is for the mobile home park owner to get people out who have fallen seriously in arrears on their taxes. T. Kane noted that there are other mobile home parks in Town in addition to the Village at Chopmist Hill. T. Kane stated that the parks are businesses which are getting paid, but the Town is not.

T. Kane stated that the teeth of the Ordinance would be that the lease would state that if the taxes are not paid, the lessee will be evicted. Atty. Ross questioned how this would result in the taxes getting paid. T. Kane replied that it would remove the person who is in arrears and hopefully would result in somebody else living in the park who will pay their taxes. T. Kane noted that the Town has lost between \$50,000 and \$60,000 over the years due to unpaid taxes on mobile homes.

Roger Ross reiterated that he and his client feel that this proposal is totally unfair to the mobile home park owners. R. Ross stated that it would be a financial burden and is not a fair resolution

to the legitimate problem. T. Kane replied that it is not fair to the Town to have someone there several years who pays their rent but not their taxes.

Councilor Sette stated that this issue occurs in other communities that have similar type housing; therefore the Resolution will receive support from the other cities and towns. Councilor Sette further stated that the Tax Collectors' Association will most likely be in favor of the legislation as well. Atty. Ross stated that he does not dispute that this is a statewide problem, but is unaware of any other community which has such a provision.

Tim Kane stated that he agrees that the license renewal provision is problematic and will recommend that it be removed from the proposed amendment. Atty. Ross asked that he be notified if this matter is discussed at any future meetings. T. Kane replied that the Resolution will be on the next agenda for a vote and he will forward any changes to Atty. Ross. T. Kane stated that if the Resolution is passed, the Council will address Ordinance changes and Mr. Ross will be notified.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

F. Kent Property

1. Potential use of property and Action going forward - Discussion and/or Action

Councilor W. Steere stated that a proposal was received which includes the expenditure of \$1,500 out of the Contingency Fund for preliminary drawings concerning property on Putnam Pike. Councilor W. Steere stated that this is a project which needs to be done, but expressed concern that we don't know what we want to do with the property.

Discussion: George Charette, of 312 Chopmist Hill Road, stated that he spoke at the last Council meeting regarding the potential use for the Kent Property. G. Charette stated that he and several people attended a meeting and discussed possible uses for the property. Those in attendance were Ray Goff, Town Planner, Councilor Buster Steere, Carl Riccio, Building/Zoning Official and Norbert Therrien, Registered Surveyor.

G. Charette noted that Charlie Wilson, chair of the Historic District Commission, was unable to attend. G. Charette recommended that the allocation be increased to \$2000 to allow for a possible increase in State fees. G. Charette stated that Norbert Therrien is present tonight to discuss several ideas for the use of the property.

Norbert Therrien, professional land surveyor, stated his credentials, adding that he worked with the Town of Burrillville with regard to their gazebo located on Main Street. N. Therrien stated that he has had discussions over the past year with George Charette regarding the Kent Property, which is the grass field located just south of the Town Hall.

It was stated that if the Town does not utilize the property within a certain amount of time, they will lose ownership of the property. N. Therrien distributed copies of a site plan which he has

prepared. N. Therrien stated that after discussion, it was decided that a small administrative building could be located on the front of the property, near Route 44. N. Therrien stated that the plan also includes a proposed open-air pavilion which could be used as a farmers' market or gathering place for band concerts or bingo. N. Therrien stated that with the Council's blessing,

George Charette and his team will continue pursuing the options for use of the property. N. Therrien stated that on-site soil evaluations will be necessary because the Town does not have sewers. N. Therrien suggested that if a septic system is installed, it would not be for the general public. N. Therrien stated that anyone who sponsors an event would be responsible for having porta-johns available. N. Therrien reported that if a soil evaluation is conducted now, it would be viable for ten years.

Councilor W. Steere stated that he likes the concept and suggested that the Council establish a formal committee to work on this project and come up with a final proposal to the Council. Councilor Burlingame agreed, adding that a pavilion would be a nice addition to the Town.

N. Therrien stated that Burrillville has a gazebo which is very attractive, but a pavilion would accommodate more people and be more useful. Councilor Burlingame suggested that the Council approve the soil evaluation and get a committee together to determine some preliminary cost figures for the project. Tim Kane, Assistant Town Solicitor, stated that there may be DEM funding available if the building will be used as a farmers' market.

Norbert Therrien stated that if we have a "game plan" in place, we could ask the Department of Transportation to change a few things in their road construction, such as the addition of depressed curbs and a pedestrian crosswalk. Councilor G. Steere replied that this cannot be assumed at this point.

Councilor G. Steere expressed agreement to go ahead with the soil test to determine the water table and the feasibility of a septic system for the administrative building. Councilor Sette expressed his opinion that we should move forward with the soil test and the formation of a committee. After discussion, it was decided that the committee will be established and a charge will be created for the committee at the next meeting.

MOTION was made by Councilor Burlingame to APPROVE a soil test on the Kent Property; seconded by Councilor Sette.

Discussion:

There was discussion regarding the \$2,000 requested by George Charette. Councilor G. Steere asked if this is for the soil evaluation only. N. Therrien replied that this amount would be for everything, adding that he does not expect it to be that much. N. Therrien stated that the soil test would only be approximately \$400 or \$500. Councilor Sette pointed out that for \$1500 to \$2000, it would require quotes from several firms.

Councilor Burlingame WITHDREW his MOTION; Councilor Sette WITHDREW his SECOND.

MOTION was made by Councilor Burlingame to APPROVE a soil test on the Kent Property not to exceed \$500, to be taken from the Council Contingency Fund; seconded by Councilor Sette.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

There was Council consensus to establish a committee at the next Town Council meeting with regard to the potential use of the Kent property. George Charette thanked the Council members for their consideration and assured them that a bookkeeping ledger will be maintained to keep track of every expense relating to this project.

G. Correspondence Authorization: D.O.T. Road Development
Support of Option - Discussion and/or Action

Councilor W. Steere stated that the Council heard the three options proposed by D.O.T. for the Route 44 and Money Hill Road intersection, and now must forward a recommendation to D.O.T

MOTION was made by Councilor Sette to AUTHORIZE the Town Council President to forward correspondence to R.I. D.O.T. recommending Option #3 (roundabout) as outlined at the Town Council meeting of January 17, 2013; seconded by Councilor Burlingame.

Discussion:

Councilor G. Steere stated that there may be people in the audience who were here for the presentation and may wish to voice their opinion. Councilor Burlingame thanked Ray Goff, Town Planner, for sending the Council a video clip which demonstrates how tractor trailer trucks are able to utilize a roundabout. Councilor G. Steere noted that this option would eliminate the traffic light and is the least invasive with regard to the loss of parking spaces on the road.

Councilor G. Steere noted that the other options would eliminate all on-street parking. Councilor G. Steere further stated that Option #3 would take a large piece of the Texaco property, adding that there is the possibility that the State may give the remainder to the Town. Councilor G. Steere stated that it would eliminate the building and clean the corner up. Councilor W. Steere suggested that a request for the remaining land be included in our correspondence to the State. Councilor G. Steere agreed that this should be put in writing.

Rose LaVoie stated that there have been roundabouts for many years in Europe and they are the way to go. R. LaVoie stated that she is in favor of this option.

Anthony DePetrillo, of Money Hill Road, asked questions regarding the visibility of oncoming traffic. Councilor W. Steere replied that there will be a raised area in the middle to prevent traffic from cutting through but will allow trailer trucks to navigate turns. Councilor W. Steere stated that there will also be a center island with plantings. Councilor W. Steere stated that in making his decision, he considered the public comments made at the presentation.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

MOTION was made by Councilor Sette to include in the letter the Town's desire to acquire from the Department of Transportation the additional property known as the old Texaco Station; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

H. Land Trust - Transfer of Funds for Town Services - Discussion and/or Action

Discussion:

Bruce Payton, Land Trust chair, stated that the Trustees will review the spreadsheets provided by the Finance Director at their next meeting. Councilor G. Steere asked if there was a particular issue of concern. B. Payton replied that the Land Trust did not expect to be charged for the services of the Town Planner. B. Payton said if the Town is going to charge the Land Trust for things in arrears it would be nice to know in advance.

Councilor G. Steere stated that B. Payton was told that the Council was going to separate everything, all of the expenses. B. Payton disagreed, stating that it was indicated that the Land Trust would only be responsible for DPW materials and labor. Councilor G. Steere stated we pledged to keep the whole project expenses separate. Mr. Payton stated if Council is going to start charging the Land Trust for things after the fact. Mr. Payton stated "if you are going to start doing that we have a lot of things to discuss on February 20th". Councilor G. Steere stated he does not agree with Mr. Payton

Roy Najecki, Land Trust trustee, asked why there are two (2) entries on the spreadsheet for DPW, one with the Director and one without. R. Najecki stated it should be one or the other. Gary Trembl, Director of Public Works, replied that there had been discussion regarding whether or not to include the Director's services in the amount. G. Trembl explained that he spent 23 hours at the site for which he was not compensated, noting that the amount charged is what his time would have cost.

R. Najecki questioned the use of the FEMA rate, stating that it would have been fairer to use the depreciation schedule. It was stated that these issues can be resolved at the joint meeting of the Town Council and the Land Trust. Councilor Burlingame stated his opinion that the Public Works Director's pay should be included at part of the project costs. B. Payton agreed, stating that the Director's pay is considered labor. Regarding the FEMA rates, B. Payton stated that it is the only across-the-board rate which can be used.

- I. R.I. Governors Proposed Budget 2013/2014 - Discussion and/or Action
 1. Discussion and/or Action
 2. Authorization: Correspondence to Legislation re. budget

Councilor Sette stated that we received a breakout of monies expected as a result of the Governor's proposed budget. Councilor Sette stated that hearings have begun regarding the Municipal Incentive Aid, which is money put aside to ensure that cities and towns meet their pension obligations. Councilor Sette stated that there is \$220,000 for road projects at risk and suggested that the Council send a Resolution of support for the proposed budget. Councilor Sette stated that he will put some language together and present it at the next meeting.

J. Snow Plowing: Citizens request - Discussion and/or Action

Councilor W. Steere stated that the Council has received requests for town snow plowing from two residents over the last few months, one lives on Goldie Road and the other on Evelyn's Way.

Discussion:

Ernie LaFazia, of 51 Evelyn's Way, stated that from the time his home was built in 1994 until several years ago, the Town graded and plowed the road. E. LaFazia explained that there are two (2) disabled residents on Evelyn's Way and they need help with plowing. E. LaFazia stated that there are two (2) other men who live on the road, but they are both often called away during snow storms.

E. LaFazia stated that the residents have hired private contractors in the past but when there is substantial snow, they come a couple of days later after the road has frozen over. E. LaFazia commented that the Town is very efficient and has many plows, and asked if one of them could provide service to Evelyn's Way.

Gary Trembl, Director of Public Works, stated that in the five (5) years he has been Director, he has plowed that road once. G. Trembl stated that his department does not touch Evelyn's Way or Angell Road.

Brenda LaFazia, of Evelyn's Way, stated that the residents are not asking for maintenance such as asphalt or repairing potholes. B. LaFazia stated that they are only asking for help in plowing their road. B. LaFazia noted that there are always exceptions to every policy.

Susan Sirois, of Evelyn's Way, thanked the Town Council for hearing their request. S. Sirois stated that her husband will be working all weekend and will be unable to plow the road. S. Sirois commented that they maintain the road on their own, using their own gravel, but they are just asking for some help, especially for this upcoming storm. S. Sirois stated that they are not blaming the Department of Public Works as the residents have never asked for help before.

Steve Hopkins stated that he is a police officer at the airport and will be on duty for 24 to 36 hours until the airport is reopened after the storm. S. Hopkins stated that they are only asking for 2 passes, one up and one down.

Councilor Sette asked Gary Trembl if it would be possible to plow the road during the upcoming snowstorm. G. Trembl replied that he can do whatever the Council wishes, but asked if his department will be asked to take over the road eventually. G. Trembl pointed out that whenever new developments such as Beaver Dam and White Oak Estates are added to his department, his staffing and equipment are not increased. Councilor Sette stated that there are extenuating circumstances with regard to Evelyn's Way.

Councilor G. Steere stated that since the Road Policy was adopted, the Town has been paving some private roads; however these roads have historically been maintained, graded and plowed by the Town for many years. Councilor G. Steere stated that several people have requested road maintenance and have been turned down, adding that he sympathizes with them.

Councilor G. Steere stated that if there is an emergency he would be willing to plow the road himself. G. Trembl stated that he monitors the Police and Rescue calls and sends a truck to these locations to ensure that the emergency vehicles can gain access.

Councilor G. Steere stated that typically, residents of a private road get together and hire a private contractor to plow the road.

Georgia Hopkins, 63 Evelyn's Way, stated that she has been taken by rescue twice and asked how long it would take for a plow to clear the road if there is another emergency during the impending snowstorm. G. Hopkins asked the Council to consider the request of the residents of Evelyn's Way.

G. Trembl explained that the trucks will be spread out throughout the Town during the storm, noting that no road will be plowed clean. G. Trembl stated that there will be times that the trucks will have to pull over due to the severity of the storm. G. Trembl stated that it will be like this throughout the State. G. Trembl stated that if there is an emergency call, that road will take priority.

Councilor Burlingame stated that if any emergency arises during the storm, the road will be opened up at that moment. G. Trembl concurred that if there is a call for a structure fire or rescue call, the DPW goes there automatically.

Councilor W. Steere stated that many valid points have been expressed. Councilor W. Steere stated that residents of non-Town roads must take some type of action to see that their road gets taken care of. Councilor W. Steere stated that the Council could help people out in the short-term, with the understanding that it is short-term.

Councilor W. Steere suggested that the Town plow Evelyn's Way once or twice during this storm, but going forward the residents will have to work at finding a contractor for the future. Councilor W. Steere stated that the forecast is that this will not be a typical snowstorm.

Rose LaVoie stated that there are many residents in Town who have pickup trucks with plows who may be happy to take contracts to plow these private roads.

G. Trembl commented that he can plow Evelyn's Way when he is doing Keach Dam Road, but stated that he will get calls from residents of Angell Road and other private roads asking why their roads are not plowed.

Councilor G. Steere stated that under the circumstances we should take care of the people who appeared before the Council tonight, but make it clear that it will be for this storm only.

Councilor Burlingame stated that he was on the Council in the early 90's when building permits were issued for Evelyn's Way. Councilor Burlingame stated that at that time, there was concern regarding whether safety vehicles could access the end of the road. Councilor Burlingame further stated that it was made clear that the Town would not have the responsibility to maintain or plow Evelyn's Way.

After all discussion, there was Council consensus to plow Evelyn's Way for this storm only.

Regarding Goldie Road, Gary Trembl stated that he has never plowed the road. G. Trembl stated that he spoke to the property owner who made the request and asked him who has plowed in the past. to which the resident replied he had plowed it himself. G. Trembl assured the property owner that if there is a medical emergency, his department will be there to assist.

Walter Steere, Jr. stated that in the past, he was hired to plow Goldie Road by a resident who no longer lives there. W. Steere noted that the road is not well-maintained and was difficult to plow. Councilor W. Steere asked if anyone was present from Goldie Road. There was no response. Councilor W. Steere commented that the residents of Evelyn's Way felt that it was important enough to appear. Councilor G. Steere agreed, saying that they sincerely came in looking for help. There was Council consensus not to provide plowing services on Goldie Road.

K. Survey of West Gloucester School Property - Discussion and/or Action

Ray Goff, Town Planner, stated that a preliminary survey indicates that what was thought to be a four-acre discrepancy is actually an eleven-acre discrepancy. R. Goff stated that the school building is right where it is supposed to be and there are no encumbrances on anyone else's property. R. Goff noted that we are supposed to have 19 acres which is what we have; therefore we got what we paid for.

R. Goff stated that the issue is an 11-acre wedge of land. R. Goff stated that he has spoken to the attorney representing Mrs. Cuff, from whom the Town purchased the property. The attorney has asked if the Town is willing to pay Mrs. Cuff for the extra land and if so, asked the Town to make an offer.

Tim Kane, Assistant Town Solicitor, stated that this is not an adverse possession case as we got what we paid for. T. Kane noted that Mrs. Cuff has no use for the pie-shaped piece of land which has no frontage. Councilor G. Steere noted that we did not create this problem. R. Goff stated that the surveyor did.

After discussion, it was decided that this matter should be on for Executive Session at the next meeting.

VIII. Department Head Report/Discussion Bds. & Commissions - Discussion

- A. Gary Treml, Director of Public Works, stated that his department is prepared for tomorrow's storm. G. Treml stated that a parking ban will be in effect and the Transfer Station will be closed Saturday and Sunday to free up personnel for plowing.
- B. Bruce Payton, Tree Warden, spoke regarding the road work that DOT will be doing on Main Street. B. Payton pointed out that our Tree Ordinance states that no trees that will exceed 30 feet in height shall be planted under wires. B. Payton noted that several years ago, DOT planted trees in the retention basin, stating that the trees will grow to 70 feet and will bend the wires. B. Payton stated that he wishes to ensure that when DOT does the road work, they will abide by our Town Ordinance.

IX. Council Correspondence/Discussion

None.

X. Open Forum

- A. Rose LaVoie commented that the parking lot behind the Town Hall is very dark. R. LaVoie spoke regarding a waterline, stating that the money for the road construction was appropriated four or five years ago. R. LaVoie stated that it was in the Chepachet Village Plan that waterlines would be installed and it has been ignored. R. LaVoie asked for clarification with regard to the West Gloucester School property.

Councilor Burlingame explained that when the Town purchased the property, it was not surveyed correctly. R. LaVoie commented that Mrs. Cuff received a good price when she sold the property to the Town and we should offer her \$1 for the 11-acre wedge of land. R. LaVoie stated that the Heritage Society's annual gala is scheduled for April 30th, adding that this year's honoree will be U. S. Marshal Jamie Hainsworth.

- B. Judy Murphy, of Putnam Pike, stated that there is a small brook along the entrance to Gloucester Memorial Park which needs to be mucked out. J. Murphy stated that this is not an urgent request, but her yard keeps getting wetter and wetter.
- C. Joe Huguenin, 348 Lake Drive, spoke regarding the stop sign on the corner of Jackson Schoolhouse Road and Salisbury Road. J. Huguenin stated that he has lived in that area for 60 years and has never known of an issue that would require the stop sign. J. Huguenin noted that the resident who requested it has a driveway that was improperly engineered, requiring him to pull out into the street before he can see the traffic. J. Huguenin stated that the resident should be asked to correct the problem.

XI. Seek to Convene in Executive Session - Pursuant to R.I.G.L. 42-46-5(a)2 - Collective Bargaining

MOTION was made by Councilor Burlingame to ADJOURN to Closed Executive Session pursuant to R.I.G.L. 42-46-5(a)2 Collective Bargaining; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

XII. Reconvene Open Session
Disclosure of Votes Taken in Executive Session

MOTION was made by Councilor Burlingame to SEAL the minutes of Executive Session (no votes were taken); seconded by Councilor G. Steere.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

XIII. Adjourn

MOTION was made by Councilor Sette to ADJOURN at 10:19p.m.; seconded by Councilor G. Steere.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the March 7, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **February 21, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President;
George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Susan Harris, Deputy Town Clerk; Tim Kane, Assistant Town Solicitor;
Tom Mainville, Finance Director; Joseph DelPrete, Chief of Police; Ray
Goff, Town Planner; Gary Treml, Director of Public Works; Viviane
Valentine, Tax Assessor; and Walter Steere, Jr., School Committee
member.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum for Agenda Items

Marie Sweet, of Chestnut Hill Road, spoke representing the Gloucester Heritage Society regarding the Kent Property, stating that a member of the Society should be on the planning committee. M. Sweet noted that if Charlie Wilson serves on the committee as a representative of the Historic District Commission, he could also represent the Heritage Society, as he is on the Board of Directors.

V. Resolutions

A. Resolution 2013-03

Resolution Requesting State Enabling Legislation

Re: Payment and Collection of Taxes on Mobile Homes and Real Estate Prior to
Issuance of Building or Demolition Permits

Discussion and/or Action

Councilor W. Steere stated that this resolution was recommended by the Solicitor.

Tim Kane, Assistant Town Solicitor, stated that he was contacted by Roger Ross, attorney representing the Village at Chopmist Hill. T. Kane stated that the clerical changes suggested by R. Ross were made; however R. Ross wanted to go on record that his client still objects to the Resolution. Councilor G. Steere stated that the Council must move forward to help the Tax Collector with this problem of unpaid taxes. Councilor G. Steere pointed out that this is an issue statewide, not just in our Town.

Councilor Burlingame stated that he and Jane Steere, Tax Collector, testified before the legislative committee and some members suggested that the landlord collect the taxes as part of the rent. Councilor Burlingame stated that other members of the committee recommended

changing the law so that mobile homes are not classified as personal property which escapes this kind of tax. Councilor Burlingame stated that the Council should go forward with this Resolution and stated that he will ask Representative Chippendale for support.

Tim Kane made the suggestion that in order to renew a vehicle registration, the owner's mobile home taxes must be current. Councilor Sette stated that there might be legislation that would prevent registering a vehicle if taxes of any kind are owed to the Town. T. Kane pointed out that a Town license cannot be renewed if the applicant owes taxes.

Councilor G. Steere read the following Resolution into the record:

Resolution 2013-03
Supporting Legislation - Amendments to §44-7 Collection of Taxes Generally

NOW THEREFORE BE IT RESOLVED; that the Town Council of the Town of Gloucester does hereby respectfully request that §44-7 entitled "collection of Taxes Generally" be amended as follows:

SECTION 1. Chapter 44-7 entitled "Collection of Taxes Generally" are hereby amended by adding the following subsections and section to read as follows:

44-7-10.2 Gloucester - Non-issuance of building and demolition permits to applicants in arrears in local taxes, liens and assessments in town.

- (a) No demolition or building permit may be issued for new construction and/or the renovation or alteration of an existing structure if the party assessed or property owner is in arrears for the payment of any real property tax, lien or other town assessment on real property. This prohibition applies only to the real property which is the subject to the building permit application. This section does not apply to construction which serves to abate a pending notice of violation issued by the Town of Gloucester or any of its officials and/or representatives.
- (b) No demolition permit or building permit for the renovation or alteration of a mobile or manufactured home may be issued if the party assessed or mobile or manufactured home owner is in arrears for the payment of any tax, lien or other town assessment on the mobile or manufactured home. This prohibition applies only to that mobile or manufactured home which is the subject of the permit application.
- © Any applicant seeking any demolition or building permit must submit verification from the property tax or assessment collection agency of the town that all town taxes, liens and assessments are paid to date.

SECTION 2. This act shall take effect upon passage.

BE IT FURTHER RESOLVED that we, the Town Council of the Town of Gloucester, do respectfully request that our legislative delegation support passage of these amendments.

Walter M.O. Steere, III, President

Attest: Jean Fecteau, CMC, Town Clerk

seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Resolution 2013-04

Elimination of Master Lever Voting - Discussion and/or Action

Councilor W. Steere stated that the Council has been asked by other communities and the Town Clerk to consider this Resolution. Councilor W. Steere noted that after discussion at the last Council meeting, it appeared that the Council would support the Resolution.

Councilor Burlingame read the following into the record:

Resolution 2013-04
Supporting Legislation - Elimination of Master Lever Voting

WHEREAS: General Assembly Bills 2013 - S0044 and 2013 - H 5072 Acts Relating to Elections - Conduct of Elections are purposed legislation to delete the option of single party (*master lever*) voting by means of a single mark in non-primary elections; and

WHEREAS: It has been demonstrated that voters are confused by the single party voting mechanism in our current electronic voting system. Data reveals in the 2012 General Election that voters in 34 Rhode Island communities cast a single party vote for a party that did not have a candidate on the ballot; and

WHEREAS: It has also shown that there were many “under votes” in the 2012 General Election, particularly where there were non-partisan races. Voters that chose the master lever for a particular party and did not individually check off candidates for non-partisan races had no votes cast for that office; and

WHEREAS: a ballot mechanism should never lead to voter confusion, candidate disenfranchisement or most importantly voter disenfranchisement; and the single party vote mechanism has been documented to cause all three, and thereby we support its elimination from the Rhode Island ballot; and

NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Gloucester, do hereby respectfully request that our legislative delegation support passage of 2013- S0044 and 2013-H 5072 which will delete the option of single party voting by means of a single mark in non-primary elections.

Walter M.O. Steere, III, President

Attest: Jean Fecteau, CMC, Town Clerk

seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. Resolution 2013-05
Binding Arbitration - Discussion and/or Action

Councilor W. Steere stated that the Council supported a similar bill in 2012 which failed in committee. Councilor W. Steere stated that the consensus of the Council is to again support this concept.

Councilor Sette read the following Resolution into the record:

**Resolution 2013-05
Opposition to House Bill 2013 H-5340**

WHEREAS; School districts and cities and towns have seen staggering reductions in state aid and payroll costs remain the largest single expenditure in most school budgets; and

WHEREAS; cities & towns must comply with RIGL 44-5-2, that caps the property tax levy imposed by municipalities and RIGL 16-2-9 which states: (d) "The school committee of each school district shall be responsible for maintaining a school budget which does not result in a debt." and;

WHEREAS; current state law does not provide for mandatory binding arbitration on monetary matters for school teachers and other school employees; and if passed into law mandatory binding arbitration would take away from locally elected officials the ability to control this component of local budgets; and

WHEREAS; taxpayers are already over burdened by high property taxes largely due to our school systems; and;

WHEREAS; the proposed mandatory binding arbitration legislation being advanced by its proponents does not take into account student welfare, existing property

tax caps, recognition of management responsibilities, the cost of implementing education programs and the numerous unfunded mandates passed along to all cities and towns, both educational and town wide; and

NOW, THEREFORE, BE IT RESOLVED that we, the Town Council of the Town of Glocester respectfully request the Rhode Island General Assembly to oppose 2013- H 5340 and reject any and all binding arbitration legislation currently being considered for teachers and other school employee contracts; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be forwarded to our Legislators with a request for their support.

Walter M.O. Steere, III, President

Attest: Jean Fecteau, CMC, Town Clerk

seconded by Councilor G. Steere.

Discussion: Councilor Sette recommended that a copy also be sent to the RI League of Cities and Towns.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

D. Resolution 2013-06

Taxation Notification: Farm Forest Open Space Act notification process - Discussion and/or Action

Councilor W. Steere explained that similar legislation was also introduced in 2012 but did not make it out of committee. There was Council consensus to again support this Resolution.

Councilor read the following into the record:

Resolution 2013-06

**IN SUPPORT OF S 0185 - AN ACT RELATING TO TAXATION
TAXATION OF FARM, FOREST AND OPEN SPACE LAND**

WHEREAS, per R.I. General Law, Sections 44-27-3, 44-27-4 and 44-27-5 of Chapter 27 entitled "Taxation of Farm, Forest, and Open Space Land" the Tax Assessor of all Rhode Island communities must send certain notices to property owners participating in the Farm, Forest, & Open Space classifications by certified mailing; and

WHEREAS, S-0185 would allow the Tax Assessor to mail the prescribed forms in the first notification to a property owner by First Class mail no later than the thirtieth of November and if a second notification is needed, it shall be mailed by Certified Mail; and

WHEREAS, the First Class mailing would lower the expense of these annual mailings significantly and would allow the Town to cut down on administrative mandated costs; and

WHEREAS, NOW THEREFORE BE IT RESOLVED that the Gloucester Town Council respectfully requests that the Rhode Island General Assembly enact S-0185, An Act Relating to Taxation – Taxation of Farm, Forest and Open Space.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to our legislators requesting their support of the passage of this legislation.

Walter M.O. Steere, III, President

Attest: Jean Fecteau, CMC, Town Clerk

seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Councilor Sette stated that there have been bills introduced with regard to voter initiative and term limits. Councilor Sette suggested that Council discuss these bills at the next Town Council meeting.

VI. Consent Items - Discussion and/or Action

A. Town Council Minutes - February 6th & 7th, 2013

B. Finance Director's Report

C. Tax Collector's Additions & Abatements

MOTION was made by Councilor G. Steere to TABLE the Town Council minutes of February 6th & 7th, 2013; to ACCEPT the Finance Director's Report of August & September, 2012; and to APPROVE the Abatement to 2012 Tax Roll in the amount of \$317.23, no Additions to the 2012 Tax Roll; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VII. Unfinished Business

A. Board and Commissions

1. Appointments - Discussion and/or Action

a. Community Resource Commission -

1. Two Alternate one year terms

Councilor W. Steere stated that he has spoken with the chair of the Commission who forwarded the name of a candidate to fill one of the vacancies.

MOTION was made by Councilor Sette to APPOINT Lauri Archambault to the Community Resource Commission for an Alternate one year term to expire 1/2015; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

MOTION was made by Councilor Sette to TABLE the appointment to the Community Resource Commission for one Alternate one year term to expire 1/2015; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

b. Local Board of Appeals for Building Code

1. One five year term to expire 6/2015

It was stated that there have been no talent bank applications received for this position. There was Council consensus to again advertise for an architect to serve on the Local Board of Appeals for Building Code.

MOTION was made by Councilor Reichert to TABLE the appointment to the Local Board of Appeals for Building Code for a five year term to expire 6/2015; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

c. Land Trust

1. Two expired (2/2013) five year terms to expire 2/2018

Councilor W. Steere asked the other Councilors if they wished to table the agenda items pertaining to the Land Trust until after next week's joint meeting with the Land Trust. Councilor G. Steere replied that he would like to make at least one appointment tonight because they only have a few members who plan to stay on. Councilor G. Steere stated that Tom Bazalak has expressed that he does not wish to be reappointed and recommended that Russell Gross be appointed for this position.

MOTION was made by Councilor G. Steere to APPOINT Russell Gross as a regular member of the Land Trust for a five-year term to expire 2/2018; seconded by Councilor Reichert.

Discussion:

Councilor W. Steere pointed out that Russell Gross already serves on the Planning Board and noted that the Council had decided last year that people should not serve on more than one board. Councilor W. Steere further stated that R. Gross is already the Planning Board designee on the Land Trust. Councilor Burlingame stated that another member from the Planning Board could be appointed.

Councilor G. Steere commented that R. Gross's term on the Planning Board will expire soon and it is unknown if he will remain on the Board. Councilor W. Steere stated that in 2011, it was brought up that a person could not serve on more than one board, adding that the Council would be going back on what they said if this appointment is made.

Councilor Burlingame stated that he was mistaken at that time and had thought that the Charter prohibited somebody from serving on two boards, but stated that this only applies to elected officials. Councilor G. Steere pointed out that the same person cannot serve as the chair of two boards.

Councilor W. Steere stated that he believes that the Council had said that a person could not serve on more than one board, unless that person is the liaison from one board to another. Councilor W. Steere asked if we were changing our minds on that.

Rose LaVoie commented that she has served on four boards at the same time and stated that the information she brought forward to each board from the others was very helpful. R. LaVoie further stated that it is difficult to get people to serve, therefore, if someone is doing a good job it should not be an issue if somebody wishes to be on more than one board.

Bruce Payton, Land Trust chair, recommended that the Council review the Planning Board minutes before making this appointment to determine how much was brought from the Land Trust to the Planning Board by that liaison. B. Payton stated that there did not seem to be any communication. B. Payton also suggested that if the Council makes one appointment, they might as well make two.

Charlie Wilson, chair of the Historic District Commission, stated that if we have good people who are willing to serve, there should not be a stipulation that they cannot be on more than one board.

Councilor G. Steere stated that Roy Najecki serves on two boards. Councilor W. Steere noted that R. Najecki is the liaison to the Land Trust and again asked if the Council is going back on what they had proposed last year. Councilor G. Steere replied that the Council only talked about boards where there would be a conflict with each other. Councilor W. Steere disagreed, stating that if we have the same people serving on different boards, we will lose diversity of thoughts and ideas. Councilor W. Steere stated that as long as we are clear that we are changing from what we said last year, then it is fine.

Roy Najecki, Conservation Commission chair and designee to the Land Trust, expressed his opinion that he would not want to prohibit an individual from serving on multiple committees, but there should be a limit of one chairmanship.

Bruce Payton stated that the Council has just made an appointment to another board by recommendation of the board chairman. B. Payton noted that he has recommended a candidate for the Land Trust who is very active in Town and has much to offer to the Land Trust. B. Payton asked the Council to consider this candidate. Councilor W. Steere asked if this person has submitted a talent bank application. B. Payton replied in the affirmative.

Councilor W. Steere again asked if the Council is going back on what they were trying to accomplish last year with regard to a person serving on more than one committee. Councilor G. Steere stated that he does not believe that this was what was decided. Councilor G. Steere stated that it stems back to problems with the Economic Development Commission.

Rose LaVoie noted that she has seen appointments tabled month after month and stated that this issue may be one of the reasons. R. LaVoie noted that she chaired two or three boards at the same time without any problems. R. LaVoie noted perhaps woman do a better job serving on two boards.

Councilor Burlingame stated that there is another aspect to this issue. Councilor Burlingame pointed out that when the Council meets with the Land Trust next week, it is important that there be as many regular members in place as possible. Councilor Burlingame further stated that the Land Trust does not agree with the Council with regard to Rules and Regulations, and noted that some members may decide to resign as a result of the outcome of next week's meeting. Councilor W. Steere replied that if the Council appoints tonight, those members may change their minds after the joint meeting.

Again, Councilor W. Steere stated as long as we are clear that we are changing our minds. Councilor W. Steere noted that Councilor Burlingame has stated that he was mistaken regarding what was decided last year. Councilor Burlingame explained that he had thought that the Charter was amended to prohibit an individual to serve on more than one board, but he realized that it only pertained to elected officials. Councilor G. Steere stated that it had mostly to do with being chair of two boards and/or serving on two boards which may cause a conflict, such as Planning

Board and Zoning Board. Councilor G. Steere stated his opinion that there would not be a conflict in serving on the Land Trust and Planning Board. Councilor G. Steere noted that if Mr. Gross becomes a regular member of the Land Trust, the Planning Board will have to designate someone else as liaison. Councilor W. Steere asked if R. Gross is concerned that he will not get reappointed to the Planning Board. Councilor G. Steere recommended that Councilor W. Steere ask Mr. Gross. Councilor W. Steere suggested waiting until Tuesday's meeting, when all parties will be in the same room.

Councilor Sette stated that he feels it will be an extensive meeting on Tuesday and noted that he has spent some time researching the Land Trust enabling legislation and the Home Rule Charter. Councilor Sette requested that Tim Kane, Assistant Town Solicitor, attend the meeting to address any legal questions which may come up. Councilor Sette stated that the issue tonight is whether or not to appoint and suggested that we move the question. Councilor Burlingame agreed.

Again, Councilor W. Steere asked if the Council is changing their mind with regard to a person serving on two boards. Councilor Sette stated if this issue comes up again we as a Council will then make that decision. Councilor W. Steere stated ok, so we are changing our minds. Councilor G. Steere disagreed, stating that it was if two boards conflict with each other, or not the chair of two boards and suggested Councilor W. Steere look it up.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Councilor Burlingame stated that the second appointment to the Land Trust should be tabled at this time.

MOTION was made by Councilor Sette to TABLE the second appointment to the Land Trust for an expired five-year term to expire 2/2018; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Two expired (2/2013) one year Member-at-Large terms to expire 2/2014
(Planning Board & Conservation Comm. Chair or designee)

Councilor Burlingame suggested appointing George Charette as designee from the Planning Board. Councilor W. Steere stated that the Council has not discussed this appointment. Councilor Sette pointed out that G. Charette is not present tonight and recommended that the appointments be tabled.

MOTION was made by Councilor Sette to TABLE the appointments for two expired one-year Member-at-Large terms to expire 2/2014 (Planning Board & Conservation Committee chair or designee); seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Land Trust -Discussion and/or Action
Rules & Regulations Update and/or Adoption

MOTION was made by Councilor Sette to TABLE the discussion on Rules and Regulations until the Tuesday's meeting with the Land Trust; seconded by Councilor G. Steere.

Discussion:

Roy Najecki noted that the agenda for Tuesday's joint meeting does not specify "discussion and/or action" with regard to appointments to the Land Trust. There was Council consensus to amend the agenda to allow for appointments to the Land Trust.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. Land Trust - Transfer of Funds for Town Services - Discussion and/or Action

Councilor G. Steere stated that there was discussion at the Land Trust meeting regarding the correct figures. Councilor G. Steere stated that the total is \$49,054.86, which is comprised of \$45,297.26 in DPW costs and \$3,757.60 for the Town Planner's services.

Bruce Payton, Land Trust chair, suggested that the Land Trust and Town Council all receive this information so that everyone has the same numbers when this matter is discussed. B. Payton also stated that all parties should have the most current version of the Rules and Regulations.

MOTION was made by Councilor Sette to TABLE the discussion on Land Trust - Transfer of Funds for Town Services; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VIII. New Business

A. Community Housing Land Trust - C.D.B.G. Reimbursement Request - Discussion and/or Action

Councilor W. Steere stated that the Council has received a request from the Town Planner.

Discussion:

Ray Goff, Town Planner, stated that he has received a request from the Community Housing Land Trust, the agency that does the monitoring of our mobile homes for approximately \$1,200 per year. R. Goff stated that they are asking that some of our CDBG funding be sent to them for the previous three years of service. R. Goff noted that since the Western RI Home Repair Program was put on hold, everything has stopped and we cannot write a check.

R. Goff asked if, in the interim, a check can be written from the Town coffers until reimbursement is received from the State. R. Goff noted that he has spoken to the Finance Director, who feels that this makes sense. Councilor W. Steere asked if a request from the Community Housing Land Trust was also sent to Foster and Scituate. R. Goff replied that Foster is processing something, but he does not know what Scituate is planning to do.

Tom Mainville, Finance Director, stated that the only risk is whether we would get reimbursed by the State. T. Mainville stated that he reviewed the agreement and this is not part of the administration of the program, which is where the problem area is. R. Goff stated that he has been assured by the State that the Town will be reimbursed.

Councilor G. Steere stated that the Home Repair Program has been on hold for eight or nine months and questioned why the agency had not been paid for three years. R. Goff replied that it is actually two years, 2011 and 2012, for which they have not been paid. Councilor G. Steere asked if payment was denied. R. Goff replied in the negative, stating that payment was not requested until now.

MOTION was made by Councilor Reichert to authorize the Town Planner and Finance Director to make payment not to exceed \$3,500 to the Community Housing Land Trust and seek reimbursement for the expense; seconded by Councilor Burlingame.

Discussion:

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Foster/Glocester Regional Budget: FY 2013/2014

1. Capital Lease/Debt Service - Discussion and/or Action
2. Overall Budget proposal - Discussion and/or Action

Councilor G. Steere stated that the Region had a meeting with the Council to discuss their proposed budget. Councilor G. Steere stated that the Region is paying off the Capital Lease on

some of the equipment they had to buy due to overruns on the school building project. Councilor G. Steere stated that by paying it off early from their huge surplus, they will save money on interest, however the new proposed budget figures are \$12,000 less than last year. Councilor G. Steere stated that legislation was passed last year, with the help of Paul Fogarty and Mike Chippendale, which states that the Maintenance of Effort must be reduced by the amount of the Capital Lease once it is paid off.

Therefore, Councilor G. Steere stated that the budget should be reduced by the amount of \$165,379, and if they need more for computers and technology, they should ask the voters at the Foster-Glocester Regional Financial Meeting. Councilor G. Steere stated that the proposed budget is not \$12,000 less than last year, which is less than level-funded as the Region is stating, but actually a \$152,800 increase if the letter of the law is followed. Councilor G. Steere stated he was the only councilor that spoke up and expressed his opinion that this should be done the right way, by reducing the budget and asking the voters to approve the request for technology. Councilor G. Steere commented that this was the intent of the legislation.

Councilor Sette suggested that a letter be sent to the Regional School Committee asking them to reduce the budget by that amount in the spirit of the legislation. Councilor Sette stated that he feels all of the Council is supportive of putting the money back into the budget for a strategic program that will benefit the students. Councilor Sette suggested the budget be appropriately reduced and this be considered new money and that we would be supportive of the program for students.

Councilor Sette stated that this would be a strong statement on the part of the Town Council, and if the School Committee agrees, it would be a statement on their part that they recognize the spirit of the legislation which was passed. Councilor G. Steere stated that he agrees with most of this, however he feels that there is enough fluff in the budget that they do not need to ask for more money, but he does agree with something for the students. Councilor Sette stated he feels it is a good expense and he hopes they make the right implementation choices, and Councilor Sette pointed out that this expense may be in the budget for several years, but on the back end there will not be large expenses for books.

Councilor G. Steere stated that he agrees with most of what Councilor Sette said but he feels that the Region should not ignore the legislation and slide another one by the taxpayers. Councilor G. Steere stated that the Region should be above board, do it the right way, and if they need another \$150,000, ask the taxpayers for it and let the taxpayers vote. Councilor W. Steere agreed, but not with the "sliding by" comment. Councilor W. Steere stated that this was one of the three options presented and if the Council had acted then, a letter would not be necessary.

Councilor Sette stated that the Superintendent always prepares a cover page for the budget and suggested that an explanation, which is important, could be included as opposed to redoing the budget. Councilor G. Steere stated that it needs to happen that way. Councilor Sette stated that we need to make that recommendation. Councilor G. Steere stated he would go along with that.

MOTION was made by Councilor Burlingame to send correspondence to the Regional School Department asking that they construct their budget and explanation consistent with the Capital

Lease/Debt Service legislation, to reduce the Maintenance of Effort by that amount and to come forward and ask for new money for Tech Ed; and to include a statement indicating the Council's support of the money being used, the technology and the reason for it; seconded by Councilor Reichert.

Discussion:

Tim Kane, Assistant Town Solicitor, was directed to prepare the correspondence for the Council President to sign. Councilor Sette suggested that the letter state that it was a unanimous vote of the Council.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. Gloucester Code of Ordinance: Discussion and/or Action

1. Proposed addition of Ordinance re: Depositing snow/ice on roadways

Gary Treml, Director of Public Works, stated that during this last storm with two feet of snow, there are residents with uphill driveways who push the snow across the roadway until it reaches a height of up to seven feet. G. Treml stated that this makes it difficult for the snow plows to do their job. G. Treml also stated that residents of private roads which are maintained by the Town sometimes snow blow their driveways into the street after it has been plowed.

G. Treml stated that there needs to be an Ordinance which states that residents must deposit snow on their own property. G. Treml stated that his department plows and sands the roads to make them safe, then people come along and make the roads unsafe. G. Treml noted that Burrillville has an Ordinance in place which prohibits this action. G. Treml suggested that a fine be imposed to discourage property owners from depositing snow onto the road.

Gary King stated that some homeowners hire people to plow and the fine should be imposed against the plow driver, not the property owner.

Bruce Payton commented that his daughter was driving on Durfee Hill Road when somebody deposited snow from a driveway into the road in front of her. B. Payton stated that not only does this make it difficult for the Public Works Department, it is also a safety hazard.

Councilor Sette recommended having a copy of Burrillville's ordinance for review at the next Town Council meeting. Councilor Sette stated that if the Council decides to adopt an Ordinance, a First Reading could be scheduled.

Walter Steere, Jr. asked if this would mean people could not plow across the road. W. Steere, Jr. stated that people with steep driveways sometimes have to plow the snow across the road. W. Steere, Jr. noted that 99% of them clean it up afterward and asked if it would be prohibited to take snow across a road. Councilor Reichert replied that if it is cleaned up and does not cause a problem, it would be allowed. W. Steere, Jr. stated that the Burrillville ordinance sounds like you

cannot push snow into the road at all. W. Steere, Jr. commented that we are going overboard with ordinances and fines.

Bruce Payton stated that it should also be prohibited to deposit snow on somebody else's private property.

There was Council consensus to place this on the agenda for the next Town Council meeting.

D. Proposed Use of Kent Property - Discussion and/or Action

1. Adopt charge for Committee

Councilor W. Steere stated that Jean Fecteau, Town Clerk, has been working on a charge and is looking for input from the Council. Councilor W. Steere stated that any suggestions or ideas will be incorporated and once it is complete, it will be forward to the Town Council for approval.

Councilor Sette stated that the charge should be specific to what we want the committee to do. Councilor Sette stated that when the Senior Center was being built, we had a really good group of people on the committee from different political parties and when they began to look at what the building could become, party lines became blurred and the members all worked together.

2. Appoint Committee members

MOTION was made by Councilor Burlingame to TABLE the appointment of members to a committee to be formed to explore the use of AP 10C, Lot 12 until a charge is adopted; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

E. Board of Contracts & Purchases - Discussion and/or Action

Bid Award: RFP 2013-01 Statistical Revaluation

Councilor W. Steere stated that the Council has received a recommendation from the Board of Contracts & Purchases:

Vision Government Solutions, Inc.

Bid Price:

\$76,300 Option (#1) Statistical revaluation of all taxable real estate, land, buildings and improvements, including mobile homes on leased land as of December 31, 2013.

6,600 Option (#2) to include final valuation info available on-line via Vision Government Solutions, Inc. web site.

2,800 Optional GIS module.
\$85,700 Total bid price

MOTION was made by Councilor Burlingame to AWARD RFP 2013-01 Statistical Revaluation to Vision Government Solutions for Option #2 Statistical revaluation of all taxable real estate, land, buildings and improvements, including mobile homes on leased land plus final valuation information available online via Vision Government Solutions for a period of not less than three years at the bid price of \$82,900 plus the GIS Module of \$2,800 for a total bid of \$85,700; seconded by Councilor Sette.

Discussion:

Tom Mainville, Finance Director, noted that the State will be reimbursing a portion of the cost, therefore the actual net cost to the Town will be \$34,280. T. Mainville stated that it is important that people know that.

Walter Steere, Jr. inquired whether the revaluation will entail visiting each house in Town. It was stated that this will be a statistical revaluation. W. Steere, Jr. asked if evaluation will be subtracted from each house due to declining property values. Viviane Valentine, Tax Assessor, explained that the difference between a full revaluation and a statistical revaluation is that not every property is visited during a statistical revaluation. V. Valentine stated that recent sales are reviewed and those properties are visited to verify validity. V. Valentine further stated that building permits will also be reviewed.

V. Valentine explained that every nine years a full revaluation is conducted, which entails visiting, measuring and photographing each and every property. V. Valentine stated that this was done three years ago and a statistical revaluation will be performed this year and again three years from now. V. Valentine stated that a full revaluation will take place three years after that. V. Valentine noted that there is talk in the General Assembly to change the cycle to 4-8-12 from the current 3-6-9, which would be less burdensome to the Cities and Towns.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

F. Elderly Tax Exemption: Citizen request - Discussion and/or Action

Councilor Sette stated that he has received a request from a the family of a 97 year old resident who owns a home in Glocester and has paid taxes all of her life, but now lives with relatives who are caring for her.

Councilor Sette explained that if she was in a nursing home, she would still qualify for the tax exemption, but according to our Ordinance, she does not because she is living with relatives. Councilor Sette pointed out that upon a person's passing, the taxes go back to the full amount. Councilor Sette requested that the Council grant the continuation of the resident's elderly tax exemption.

Gary King stated that he is the person taking care of the elderly resident, noting that if he left her at her house alone, she would be gone by now. G. King stated that her health is declining and he has to arrange for her health care while he is at work.

Tim Kane, Assistant Town Solicitor, stated that if the Council chooses to grant an exemption from this Ordinance for this particular plat and lot, it must be placed on the agenda for the next Town Council meeting.

Councilor G. Steere asked if the resident still owns the home. It was stated that she does. Councilor G. Steere stated that he does not want to set a precedent, but he does not see a problem if she still owns the home but is too sick to stay there.

Tim Kane, Assistant Town Solicitor, stated that the way the Ordinance is written, the Assessor would need the Council's approval to continue the tax exemption. There was Council consensus to place this matter on the agenda for the next meeting.

MOTION was made by Councilor Reichert to TABLE the Elderly Tax Exemption; Citizen request; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

G. Storm Related reciprocal services - Discussion and/or Action

Councilor W. Steere stated that this pertains to the aftermath of the big storm and the fact that schools were closed for two days due to Foster's roads not being cleared as well as Gloucester's roads. Councilor W. Steere stated that this is cause for concern. Councilor Reichert stated that Foster's Public Works Director was fired the night before the storm and the Town was not prepared with regard to gasoline and sand. Councilor Reichert noted that there is a reciprocal agreement regarding services such as this. Councilor Reichert suggested sending the Foster Town Council a non-criticizing letter indicating that Gloucester can assist them in situations such as this.

G. Trembl commented that we spend a lot of money preparing for storms, but if Foster is not ready, it causes an inconvenience to Gloucester residents. G. Trembl stated that Foster must step up and take care of their end of the agreement. Councilor G. Steere stated that he is opposed to spending more money to plow Foster's roads. Councilor Reichert stated that if we assist, we could bill the Town of Foster.

Councilor Burlingame agreed that the Council could send a letter to Foster asking them what they will do to make sure this doesn't happen again. Councilor Burlingame stated that the letter does not necessarily have to be nice, as this was a big problem about which he received several

phone calls from Gloucester residents. Councilor Sette agreed that it was surprising that school was cancelled on Monday since the roads were clear and everybody had power.

Bruce Payton advised the Council to check the Superintendent's message from that day before blaming Foster. B. Payton stated that school was cancelled due to an excessive amount of snow on the roof of one of the schools. Councilor Reichert agreed that there was snow on the roof, but stated that the problem was mostly caused by the roads in Foster. G. Treml stated that he believes that it was the roof on Paine School in Foster that had an issue because it was designed to only accommodate 14 inches of snow.

Councilor Burlingame stated that we should not just let it go because they made a bad decision. Councilor W. Steere agreed, stating that we should let them know that decisions like this impact our community as well as theirs. Councilor Burlingame stated that the correspondence should ask them what their storm plan will be going forward. Councilor Burlingame stated that he will draft a letter and ask the other Council members for their input.

MOTION was made by Councilor Reichert to send correspondence to Foster regarding the impact of the residents of Gloucester during the recent weather-related school closing; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

IX. Department Head Report/Discussion Bds. & Commissions - Discussion

- A. Councilor W. Steere expressed appreciation to Gary Treml, Director of Public Works, regarding the work of his department during the snow storm. G. Treml replied that his crew and his secretary also deserve credit for taking care of everything and thanked the Town for providing good equipment to work with.
- B. Councilor Sette asked Ray Goff about a letter regarding the CDBG that went out to the whole state. R. Goff stated that the first letter was negative but a second letter followed which stated that the previous information was incorrect. R. Goff stated that he will provide more information to the Council as he receives it. R. Goff further stated that he is working on the Town's application for this year's Community Development Block Grant.
- C. Joseph DelPrete, Chief of Police, speaking for himself and the Fire Chiefs, stated that they had no problem responding to calls during the height of the storm due to the efforts of the Public Works Department.

Chief DelPrete requested authorization to advertise for applications for Police Officers to establish an eligibility list. Chief DelPrete stated that this needs to be done now due

to the Police Academy's schedule. Chief DelPrete explained that due to his request for a School Resource Officer and the possibility of several officers transferring laterally out of the Department, there may be positions to fill. Chief DelPrete also noted that there are three officers eligible to retire. There was Council consensus to authorize Chief DelPrete to begin the advertising process.

- D. Viviane Valentine, Tax Assessor, thanked the Town Council for their generous support of the Northeastern Regional Association of Assessing Officers regarding their conference scheduled for April 29th in Newport, RI. V. Valentine stated that she has the honor of serving as President and is excited to showcase the State of Rhode Island.
- E. Walter Steere, Jr., School Committee member, spoke about the position of School Resource Officer. W. Steere, Jr. stated that it was discussed at the last School Committee meeting and did not go over well. Councilor Burlingame asked which members objected to it, as far as whether they were Foster or Glocester members. W. Steere, Jr. replied that none of the Foster members were in favor and he was the only Glocester member to speak up positively.

Walter Steere, Jr. spoke regarding the NECAP test scores. W. Steere, Jr. stated that in 2009 and 2010, Glocester schools had a high score of 54%, but went down the following year. W. Steere, Jr. reported that scores have gone back up to this year. W. Steere, Jr. commented that these scores count toward a student's grade but he feels that they do not show the true knowledge of the student.

Councilor Burlingame asked how many students are in danger of not graduating as a result of their test scores. W. Steere, Jr. replied that there are 21 students, however some of them missed by only one or two questions. W. Steere, Jr. noted that the students have several options, one of which is to retake the test. Councilor G. Steere asked if 54% is a high score, or if other schools score 70, 80 or 90%. W. Steere, Jr. stated that he was not given the State information.

Councilor Burlingame stated that he has seen the scores of other schools and surrounding towns are far above us. Councilor Burlingame stated that from his point of view, our students are not getting the proper leadership or program changes that are needed to be prepared to leave high school. W. Steere, Jr. disagreed, stating that we are creating new programs and people are moving into Town because of its school system.

Councilor Burlingame stated that student population is down by 82 students. Councilor W. Steere stated that the Superintendent stated last week that new technology programs are going to be implemented which will help the students compete in today's world.

- F. Bruce Payton, Land Trust chair, asked for guidance regarding the proper procedure for posting next week's joint meeting of the Town Council and Land Trust. B. Payton stated that the Council has posted an agenda, but he would like to also post an agenda for the Land Trust in order to take action regarding payment to the Department of Public Works for services provided at Hawkins Pond. Tim Kane, Assistant Town

Solicitor, stated that the Land Trust could convene a separate meeting after the joint meeting with the Town Council for the purpose of approving the expenditure.

B. Payton stated that he has not heard back from the other Land Trust members regarding whether they will attend the meeting. B. Payton expressed hope that the Land Trust and Town Council can “get it done” with regard to the Rules and Regulations, stating that it has been dragging on for a long time.

Councilor Sette stated that there have been joint meetings in the past with the School Committee and the Foster Town Council for which each group posted their own agenda. T. Kane noted that the posting deadline is tomorrow and he and B. Payton will confer to draft an agenda that is consistent with that of the Town Council.

X. Council Correspondence/Discussion

- A. Councilor W. Steere stated that a letter was received from the North Smithfield School Committee regarding a Resolution in opposition of binding arbitration.
- B. Councilor W. Steere stated that a letter of appreciation for the efforts of the Department of Public Works was received from a Town resident.
- C. Councilor W. Steere stated that a Resolution was received from the Smithfield Public Schools, also regarding binding arbitration.
- D. Councilor W. Steere stated that a request for use of the Senior Center was received.
- E. Councilor W. Steere stated that a letter was received from Voice of the Taxpayer - Voice of Business with regard to a draft resolution to eliminate the Master Lever. Councilor W. Steere stated that a Resolution was brought forward by the Town Council tonight.

XI. Open Forum

- A. Rose LaVoie expressed concern that, due to current technology, students do not know how to look something up in a dictionary or encyclopedia. R. LaVoie asked if the Council would like citizens to call their senators or representatives regarding the Resolutions which were adopted tonight. Councilor Sette suggested that any calls be directed to the Speaker of the House or the Senate President.

Regarding the Resolution concerning notification pertaining to the Farm, Forest, and Open Space Program, R. LaVoie stated that it is nice to hear that we have people in charge who are trying to save the Town \$2,200, while the State just throws money away. R. LaVoie spoke regarding the financial meetings, stating that if the vote does not go their way, they come back with more people to vote, adding that she feels that her vote does not mean anything. R. LaVoie expressed agreement that there are too many ordinances, and stated that perhaps a notice in the paper regarding the issue of depositing snow in the roadway would eliminate the problem.

- B. Councilor Sette commented that when the Superintendent and Business Manager were here last week, it was suggested to them by the Council that instead of having the Financial Meeting on a Tuesday night, the budget could be voted on during an all-day referendum. Their response was that they would consider it if the Town also did away with their Town Financial Meeting.

Councilor Sette stated that while he personally likes the idea of Financial Town Meetings, an all-day vote for the Regional School Budget would allow more voters from both Foster and Gloucester to cast their vote. Councilor Burlingame stated that another alternative would be to ask for legislation to have this done.

- C. Bruce Payton stated that the Council has an Executive Session tonight with regard to acquisition of property and mentioned “environmental assessment” and “title insurance.”
- D. Marie Sweet, Gloucester Heritage Society, stated that on May 4th, the URI Master Gardeners will be holding an Open House and Plant Sale at the Ruben Mason House. M. Sweet stated that another garden is planned for behind the Job Armstrong Store, after which Gloucester will be included in a Master Gardeners’ Tour. M. Sweet commented that this event would bring many people to Town who hopefully would visit the stores in the Village. M. Sweet noted that Elephant Day, Heritage Day and the Peddlars’ Fair have also been scheduled.

XII. Seek to Convene in Executive Session - Pursuant to R.I.G.L. 42-46-5(a)5 -Potential Acquisition of Property - Discussion and/or Action

MOTION was made by Councilor Sette to Convene to Executive Session pursuant to R.I.G.L. 42-46-5(a)5 - Potential Acquisition of Property; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

XIII. Reconvene Open Session
Disclosure of Votes Taken in Executive Session

MOTION was made by Councilor Burlingame to SEAL the minutes of Executive Session (one vote was taken); seconded by Councilor Reichert.

Discussion:

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

XIV. Adjourn

MOTION was made by Councilor Sette to ADJOURN at 9:57 p.m.; seconded by Councilor G. Steere.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the March 7, 2013 Town Council Meeting.

At a joint meeting of the Town Council and Gloucester Land Trust holden in and
for the Town of Gloucester on **February 26, 2013**

I. Call to Order

The meeting was called to order at 7:00 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President;
George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Tim Kane, Assistant Town Solicitor; Jean Fecteau, Town Clerk; Land
Trust members: Mark Karmozyn, Roy Najecki, & Debra Najecki.

Councilor Steven A. Sette chaired the meeting.

Pledge of Allegiance

The Pledge of Allegiance was recited.

III. Introduction and purpose for meeting

Councilor Sette explained that he would be chairing tonight's meeting. Councilor Sette stated he previously served on the Council and since he has been back he has noted a lot of issues regarding the Land Trust. Councilor Sette stated tonight's meeting is to get all the issues out, and get everyone on the same page going forward. Councilor Sette stated the Land Trust is a valuable part of the town and it is time to discuss where the Land Trust is, what the mission is, and what we might do going forward.

Councilor Sette stated he would like to read a letter that he just received at this time:

Dear Mr. Steere:

Please read this into the Town Council record.

Thank you to the citizens of Gloucester for allowing me to serve our community.

After more than 27 years of town service and personally authoring and being the background agent for millions of dollars in grants to Gloucester, and thousands of hours of volunteer work to the Town, I find I no longer serve a Town Council that does even give a person time to voice his concerns and opinions and allows personal agendas to run our Town.

With your recent votes to appoint the last two Trustees to the Land Trust that have done no work to aid the advancement of the Land Trust established guidelines, action items in the *Town's* Comprehensive Plan and given the Council incorrect information numerous times about Land Trust activities. I can no longer volunteer my time to serve this community.

I hereby resign both as a Trustee to the Land Trust and my position as Tree Warden effective immediately.

Good luck to those that believe the environment is an important asset to our community and thank you to those hard working volunteers that get nothing but grief for their hard work following the Community Comprehensive Plan for the Town of Gloucester trying to take it a better place to live.

Bruce Payton, Chair
(end of memo)

Councilor Sette stated he read the letter into the record to address some of those issues.

IV. Land Trust

A. Land Trust Rules and Regulations - Discussion and/or Action

Councilor Sette stated he has reviewed the Charter and enabling legislation to ensure there is consistency as we go forward with this document. Councilor Sette also stated part of the draft submitted by the Land Trust includes Rules of Conduct which probably isn't necessary as there are sections of the town ordinance that speaks to all boards and commissions.

Councilor Sette read the draft rules & regulations into the minutes:

Rules and Procedures Gloucester Land Trust

DRAFT (as of Feb 26, 2013)

1. Annual Operations Budget Plan

The Gloucester Land Trust (the GLT) shall adopt a budget for operating expenses for each fiscal year which shall commence July 1 and end on June 30. The Budget shall be adopted prior to the commence of the fiscal year.

2. Land Purchases

- a. The GLT shall use its existing primary scoring criteria.
- b. The GLT shall conduct an initial review of any potential purchase or disposition of land, development rights and/or easements with the Gloucester Town Council in an Executive Session meeting.
- c. The GLT shall meet with the Gloucester Town Council in Executive Session prior to executing any purchase and sale agreement, option agreement or other legal instrument for the purchase or disposition of land, development rights and/or easement purchases.
- d. The Town Council shall be allowed to review the proposed Settlement Statement prior to any closing or acquisition or disposition of an interest in land, and the GLT

shall meet with the Town Council in Executive Session prior to closing or acquiring an interest in any property.

- e. With respect to physical access to land, appraisals shall only take into account the land being purchased and shall not take into account potential access from other properties whether owned by the GLT or not.
3. Purchasing Procedures
 - a. The chair or designee of the GLT shall have the authority to process purchase requisitions and pay bills in conjunction with the Gloucester Finance Department when a schedule of work is being met and when the amount is within the agreed upon contract.
 4. Subcommittee Powers and Duties
 - a. Subcommittees shall have the same powers and duties as allowed under Town policy.
 5. Property Management
 - a. Hunting Regulations Policy: Orange safety gear shall be worn on all the GLT hunting areas and all applicable hunting dates and bag limits shall be consistent with those regulations promulgated by the R.I. D.E.M.
 - b. Maintenance policy: The GLT shall only maintain GLT properties.
 6. Recording and Filing of minutes
 - a. Minutes Policy:

Glocester Town policy shall control with regard to minutes unless specifically addressed herein. Recordings will be made available if requested. Small details are not necessary to be included in the minutes as the minutes are to reflect what transpires at a meeting and not what is said verbatim. If a Trustee would like to have his or her comments or opinions included in the minutes, they should state “for the record” or “I want this on record.”
 - b. Public Access to Records: The GLT shall follow the same policy that the Town uses for a request to inspect or obtain copies of public records. Rhode Island State Law allows reasonable costs to be charged. See form: ‘Request to inspect and/or Copy of Public Records.’
 - c. Meeting Recording:

The GLT shall record both open and closed portions of all meetings The GLT shall record the public, open portion of meetings and shall only be required, at election of the GLT, to take written minutes during Executive Sessions, and disclose votes as required by the Rhode Island Open Meetings Act.

7. Meeting Procedures

- a. The GLT shall follow Town of Glocester policy and R.I. Open Meetings Act with respect to the posting of agendas and meeting procedures. (See Glocester Code, Chapter 392)

- b. Postings for closed or executive session meetings dealing with the acquisition of real estate or an interest therein shall comply with R.I.G.L. 42-46-5(5) "Purposes for which meeting may be closed to the public. Any discussions or considerations related to the acquisition or lease of real property for public purposes, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public."

(end of draft rules)

George Charette, representing Land Trust, spoke regarding the possibility of including the Town Planner in reviewing potential properties. The consensus was to include the Town Planner in Executive Sessions to discuss potential land purchases.

Walt Steere, Jr. spoke regarding the process to involve Planning.

Councilor Sette went through the draft document regarding each use of the word "shall."

The Land Trust members discussed future work on updating **Section 2.a** regarding scoring criteria. It was agreed the criteria could be attached to this document.

There was a consensus to add "Town Planner" to **2. Land Purchases, section b.**

There was a consensus to delete "purchases" (after the word easement) and pluralize easement in **2. Land Purchases, section b.**

Discussion followed on **section 2.d** regarding closing documents. R. Najecki expressed his concern that the time factor could jeopardize a purchase. M. Karmozyn stated he feels that item should remain as is to include Council. Councilor Sette stated the Council in the past has made itself available as needed. Councilor Burlingame agreed that watching out for taxpayer dollars is the Council's responsibility.

Discussion followed **regarding section 2.e (appraisals)**. How land values for sales was discussed.

There was a consensus to add **Section 2. f:**

Upon completion of any purchase or disposition of land or any interest therein, including an easement, the GLT shall put the same on its next meeting agenda and publically announce the transaction.

(This section was previously approved, and inadvertently omitted)

Discussion on **3. Purchasing Procedures, a.** There was a consensus to add: “Two members of the GLT shall verify that work is complete before payment is approved.”

5. Property Management, a Hunting Regulations After discussion Roy Najecki will provide text to be consistent with DEM clothing regulations.

5. Property Management, b Maintenance policy After discussion there was a consensus to change the language to: The GLT shall only maintain GLT properties and shall not maintain private property.

6. c The GLT shall record both open and closed portions of all meetings, and disclose votes taken in Executive Session as required by the Rhode Island Open Meetings Act.

Section 7. b Add dealing with the *disposition* or acquisition of real estate...

Councilor Sette stated Chapter 392 of the Code addresses how Boards and Commissions will conduct business and he feels that is sufficient and the code of conduct should be eliminated. There was discussion that the original proposed code of conduct may interfere with constitutional rights. Consensus to delete.

MOTION was made Councilor Burlingame to endorse the draft document “Rules & Regulations of the Gloucester Land Trust” with the amendments as discussed and agreed upon and to recommend to the Land Trust adoption of these Rules & Regulations; seconded by Councilor G. Steere

Discussion: None

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert

NAYS: 0

MOTION PASSED

B. Outstanding bills payable to Town Departments - Discussion and/or Action

Councilor Sette explained everyone should have an updated copy of outstanding bills payable to the Town. Councilor Sette questioned if the latest figures are agreeable to all, \$59,025.23.

M. Karmozyn stated at the last meeting of the Land Trust there was a vote taken to pay the amount owed to the Town Planners budget, however these minutes are not yet approved. M. Karmozyn stated that just leaves the \$55,267.23.

Councilor Sette noted the \$3,757.60 was the amount agreed upon by the members for the Town Planner’s payment. M. Karmozyn stated there was some confusion about what the actual remainder amount.

Discussion followed on the project costs. T. Mainville was to give the Board a number to vote on. After review by T. Mainville and further discussion, it was determined the number to be paid is the \$59,025.23 which includes the Town Planners amount.

C. Land Trust property inventory and potential moratorium on new purchases
Discussion and/or Action

Councilor Sette stated the Land Trust has accumulated approximately 22 hundred acres for the Town, which is an outstanding job. Councilor Sette stated this has created a nice greenway, created opportunities for passive recreation, hunting etc. Councilor Sette stated he has reviewed other communities and he knows that Gloucester has done an outstanding job. Councilor Sette stated some of the questions he has been asked are: can we maintain what we own; should we continue to buy property; are our management plans effective.

Councilor Burlingame talked about current Land Trust funds available. Councilor Burlingame stated there is a fair amount of funds to do some work on existing properties.

Councilor W. Steere stated that 30% of all purchase prices of Land Trust property was purchased with tax payer dollars the rest of the funds needed was gifts or other agencies contributing. Councilor W. Steere stated this shows the Land Trust has leveraged their funds very wisely for the taxpayers.

Roy Najecki stated that 6% of the town is now open to the public and 18% of the Town is conserved in some way. R. Najecki stated he feels the Land Trust should continue buying land that abuts existing properties. R. Najecki also stated for every dollar we spend we get two dollars from donations.

M. Karmozyn agreed the Land Trust has leveraged their funds but there are easements involved and he feels the town has surrendered our control to groups such as the Department of Environmental Management. M. Karmozyn stated the town still has the liability and maintenance of these properties but D.E.M. can tell us what to do or not to do with the property M. Karmozyn stated the Land Trust needs to be careful with these easements going forward.

R. Najecki stated that these are Open Space easements and without those grants we wouldn't have been able to purchase so much property. R. Najecki stated the restrictions are consistent with the goals of the Comprehensive Plan.

M. Karmozyn noted he doesn't see these easements as grants, because with these grants we do not purchase all rights to the property.

After discussion regarding easements/restrictions it was agreed the Town Solicitor will review the easement language used and give Council his opinion.

R. Najecki stated the Land Trust has been in negotiations with a few projects and a closing on a property is scheduled for next week.

Councilor Sette questioned if the rules and regulations would bring these items to the Council. The consensus was the new rules & regs would bring potential purchases to Council.

M. Kamarzon noted maintenance needs to be done and we are missing management plans for most properties. R. Najecki agreed that this is an ongoing issue and the Land Trust is working on putting together plans.

Mr. Friday stated management and management plans is a big issue for all communities but that Gloucester may be ahead of the game.

After discussion, it was agreed the Land Trust will create a plan for maintenance, prioritizing, and forward a copy to Council.

A. Clausen, Friends of the Land Trust, gave his opinions on maintenance and acquisition of property.

D. Uses of Land Trust Properties - Discussion and/or Action

1. General uses
2. Easements & Restrictions
3. Procedure for sale of easements
4. Shared burden of easement holders re: maintenance of property

Councilor G. Steere stated he believes we have already touched on some of these issues. Councilor G. Steere stated he thought purchasing all these properties for approx. 30% output of our funds is impressive but he questioned the tying up of the properties uses. Councilor G. Steere questioned the procedure for selling an easement and asked if the Land Trust sells easements after it owns the land or is it all done within the purchase and sale period.

R. Najecki explained the Land Trust cannot sell property outright without going to financial town meeting, but it has sold development rights after the sale to defray the cost. R. Najecki stated these sales, again, are consistent with the open space use.

M. Karmozyn again asked if the practice of selling rights after the fact, which has been done all these years, is legal. T. Kane stated that enabling legislation allows this practice but with the new rules adopted the Land Trust would now have to come to the Council before hand to consult with the Council. M. Karmozyn stated he hoped we could be more careful in the future when considering easements so as not to limit uses for ever.

R. Najecki stated there is some talk amongst land trusts regarding whether easements should be able to be amended. Mr. Friday stated it is a national question to find a responsible way to possibly amend easements and how to write easements for the future. Councilor Sette asked if all easements and similar documents could be reviewed by the town's solicitor in the future. Consensus was that the Town's Solicitor could review.

Discussion followed on the potential shared responsibility, liability, and the possibility of the town having to reimburse these easement holders should the property sell. Consensus was to approach easements, etc., in the future, with the Solicitor's input.

E. Council/Land Trust fiduciary responsibility to tax payers - Discussion and/or Action

Councilor Sette stated Council has touched on this responsibility previously. Councilor Sette stated we all agree with have this responsibility and going forward we will continue to work together.

F. Procedure for filling vacancies - Discussion and/or Action

Councilor Sette reiterated all appointments in the Town are Council appointments and discussed the importance of diversity on all boards. Councilor Sette stated in his opinion having people with different views is important and also that he is in favor of talking to potential applicants before appointment.

G. Charette spoke and stated all people who are interested in serving on boards should fill out an application and go before council. G. Charette stated the boards should not recommend a person.

A. Clausen stated that while he believes in diversity, but he feels it is important that a person appointed should agree with the Land Trust mission and be willing to work.

R. Najecki agreed.

G. Appointments - Discussion and/or Action

Available positions were discussed.

MOTION was made by Councilor Burlingame to APPOINT Roy Najecki to the Land Trust as the at-large, one year term, member representing the Conservation Commission; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette, and Reichert

NAYS: 0

MOTION PASSED

There was a consensus to interview candidates for the regular position that will become available when tonight's resignation is accepted.

MOTION was made by Councilor G. Steere to APPOINT George Charette to the Land Trust as the at-large, one year term, member representing the Planning Board; seconded by Councilor Burlingame.

Discussion:

Councilor W. Steere questioned Mr. Charette if there was any discussion by the Planning Board about anyone else interested in the position. G. Charette explained the Planning Board members, as far as he knows, were not aware of recent appointments on the Land Trust. Councilor Sette asked Mr. Charette if he felt it was necessary to go back to the Planning Board with this question. G. Charette stated this is a Council appointment.

Councilor W. Steere stated he brought it up because he knows that others have expressed an interest. Councilor W. Steere questioned if G. Charette feels he will be “spread too thin.” G. Charette stated he has the time to do the job. Councilor W. Steere stated these boards need more time than meeting time. Councilor W. Steere questioned if Council should wait and talk to the other members of the Planning Board.

Discussion: None.

VOTE: AYES:G. Steere, Burlingame, Hainsworth and Reichert

NAYS: W. Steere

MOTION PASSED

V. Public Forum

1. David LaPlante, Planning Board Member, spoke regarding appointments. Mr. LaPlante stated everyone here knows the hard work G. Charette has done, and tabling this issue would have been a waste of time.
2. W. Steere, thanked everyone for this meeting. Mr. Steere stated hopefully the boards problems are solved and all can move forward.

Council members Sette & Burlingame expressed there thoughts that this meeting was a successful one.

Rupert Friday spoke giving his perspective on Land Trusts statewide. Mr. Friday stated that Gloucester is in the top tier of the statewide land trusts being one of the few that has a clear mission and is modeled after by other communities.

VI. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 9:14 p.m.; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, Sette and Reichert

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the May 2, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **March 7, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President;
George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Senator Paul Fogarty; Susan Harris, Deputy Town Clerk; Tim Kane,
Assistant Town Solicitor; Ray Goff, Town Planner; Gary Treml,
Director of Public Works; Judy Branch, Director of Human Services;
and Walter Steere, Jr., & Anne Ejnes, School Committee members.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum for Agenda Items

A. George Charette stated that he would like to speak regarding the Kent Property when it
comes up on the agenda.

B. Bob Lyons spoke regarding item VIII. C. Elderly Tax Exemption, stating that while he
is in favor of helping the elderly any way we can, he does not feel that a tax exemption
is a good idea. B. Lyons suggested that real estate taxes be based on income rather than
property values.

C. Chris Hannifan stated that she represents the Community Housing Land Trust, one of
the applicants for the Community Development Block Grant. It was suggested that she
speak during the Public Hearing to ensure that her comments go on record.

V. A. Resolution - Discussion and/or Action

1. Gloucester Resolution # 2013-07
Community Volunteer Recognition

Councilor W. Steere stated that this is a Resolution in recognition of Bruce Payton for his 25
years of service on the Land Trust.

Councilor Burlingame stated that this type of recognition is usually discussed by the Council
beforehand, adding that he did not receive a call about this Resolution. Councilor Burlingame
expressed concern that this will set a precedent. Councilor Burlingame noted that a Resolution
was recently adopted regarding a Public Works employee for his years of service, stating that
this was done by Council consensus.

Councilor W. Steere stated that he did not receive a phone call regarding that Resolution. Councilors Burlingame and G. Steere stated that it was discussed at a Council meeting. Councilor Burlingame stated that he does not recall a situation in the past where there has been a Resolution for an individual which was not agreed to by consensus. Councilor Burlingame asked what was the urgency to do the Resolution tonight.

Councilor W. Steere replied that there was no urgency. Councilor Burlingame stated that Councilor W. Steere took it upon himself to tell the Clerk to prepare the Resolution. Councilor W. Steere stated that he did not tell the Clerk to do it, he asked her to do it, assuming that she would let the other Councilors know. Councilor W. Steere noted that the Clerk is not present tonight, so he cannot ask her that question.

Councilor Burlingame stated that the Charter states, very specifically, that no individual Councilor can ask an officer or employee to do anything. Councilor Burlingame expressed his opinion that Councilor W. Steere overstepped the bounds by asking the Clerk to prepare the Resolution without asking the other Councilors. Councilor W. Steere replied that he did not think it was so horrible to thank somebody for 25 years of service and stated that this is getting ridiculous.

Councilor Sette stated that Resolutions like this are a “feel good” thing and in this case, he has no issue with presenting the Resolution tonight even though the Council has not discussed it. However, Councilor Sette stated that issues regarding the Charter rise to another level. Councilor Burlingame stated that he is raising the issue so that, going forward, we are more conscious of it.

Councilor Burlingame expressed that he does not like how this was handled, adding that there is a pattern. Councilor Burlingame suggested that the Council work more openly together instead of taking individual actions which may offend people. Councilor W. Steere stated that he is sorry if he offended Councilor Burlingame. Councilor G. Steere agreed that the procedure was not right, nothing against Bruce Payton. Councilor W. Steere again apologized if he offended anybody.

Councilor Sette read the following into the record:

Resolution #2013-07
Community Volunteer Recognition

WHEREAS: Bruce B. Payton has served the Town of Gloucester since 1988 giving unselfishly for all those years to his community; and

WHEREAS: Bruce has served as a Land Trust Trustee, spending from 2006 to present as its Chair and has accomplished: the assistance and lead in acquisition and management of 2500 acres of fee simple and conservation easements. Successful petitioning for town bonds in addition to federal, state and non-profit grants writing. Development of 26 acre wildlife habitat area. Expansion of Town open space program use to engage public use of Land Trust properties. Environmental oversight for trail layout and development

on Land Trust properties. Supervision of timber sale for revenues to start renovations to 1930's schoolhouse on Land Trust property; and

WHEREAS: Bruce has served on the Conservation Commission from 1/88 to 2004 and during that time he assisted in the development of the town's recycling program; and

WHEREAS: Bruce Payton first served as the Deputy Tree Warden from 1988 to 2003 and then served as Tree Warden to present; and

WHEREAS: during this time Bruce worked on the development of 117 acres of Green Acres property utilizing timber harvesting to rough out and prepare fitness/hiking trails. The income from the timber harvest was used to purchase materials and equipment to develop fitness stations along trails.

In addition, Bruce was responsible for the acquisition and administration of grants for over \$160,000 in tree planting and maintenance projects as well as the development of the town's tree care program including development of a town ordinance for tree protection and establishment of the local tree board. Mr. Payton was also the Town representative for oversight on Town Right of Way line clearing projects; and

WHEREAS: Bruce Payton was involved in bringing approximately 3 million dollars in grant money to the town over the 25 year span that he served; and

NOW THEREFORE BE IT RESOLVED: The Town Council wishes to sincerely thank Bruce B. Payton for his dedication and hard work for the Town of Gloucester, and we wish him success in his future endeavors.

Walter M.O. Steere, III President
Gloucester Town Council

seconded by Councilor Reichert

Discussion:

Councilor Burlingame addressed Bruce Payton, stating that he appreciates his many years of service.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Presentation by Legislators

Councilor W. Steere stated that Representative Chippendale was unable to attend the meeting to present Bruce Payton with a Citation from the House of Representatives. Councilor W. Steere stated that Senator Paul Fogarty has a presentation as well.

Senator Fogarty congratulated B. Payton and thanked him for his 25 years of service to the people of Gloucester and presented a Citation from the Senate.

Councilor W. Steere stated that Senator Fogarty has an update regarding the Route 44 road project:

**PROJECT UPDATE
ROUTE 44 CONTRACT 3C - GLOCESTER**

Work started November 2012 consisting of new storm drain installation. Project is currently in winter shutdown and will continue to be until April of this year. Work is approximately 10% complete with respect to the storm drain system. No other work has started to date, other than the installation of erosion control devices. The contractor plans on commencing work as soon as the weather allows, the current target for startup is early April.

FORECAST FOR THE NEXT 3 MONTHS

Upon commencing work this season, the contractor will continue storm drain improvements along the section of Route 44 that runs through the center of town. Upon completion of the drainage work, new curb installation will take place along with lighting conduits, light foundations followed by the placement of new concrete sidewalks.

It is anticipated that new pavement will be placed in late fall of 2013.

Community updates will be provided on a weekly basis throughout construction and will provide more detail regarding what type of work will be taking place along with its locations. This will be an estimate and as always will be subject to change slightly due to the many variables we face in construction that may promote change.

(End of update)

VI. Public Hearing

- A. 2013 Small Cities Community Development Block Grant - Discussion and/or Action 1. Review Requests for Funding
- 2. Public Forum & Program Performance

Councilor W. Steere explained that this is the first of the Public Hearings required before the Town submits their Community Development Block Grant application for the current year. Councilor W. Steere stated that this public hearing was advertised in the Observer/Valley Breeze on 2/28/13.

Councilor W. Steere DECLARED the Public Hearing Open and asked Ray Goff, Town Planner, to come forward to explain the Community Development Block Grant application.

Ray Goff stated that Gloucester is eligible to receive up to \$200,000 as a small city. R. Goff noted that last year, \$107,000 was received and distributed as follows: \$66,000 for the Mobile Home

Replacement Program; \$36,000 for the Housing Rehab Program; \$4,000 for the Food Pantry; and \$1,250 for the Community Housing Land Trust.

Councilor W. Steere stated that the Council has received two requests for funds: The Rhode Island Center For Law And Public Policy to provide legal clinics at the Gloucester Senior Center in the amount of \$2000.00; and the Community Housing Land Trust of Rhode Island, a program of the Housing Network, in the amount of \$3,000.

Councilor W. Steere asked if anyone wished to be heard regarding the Community Development Block Grant application.

Chris Hannifan, of the Housing Network, expressed appreciation to the Town of Gloucester for funding the program many times in the past. C. Hannifan stated that the Community Housing Land Trust is a monitoring agent for the Mobile Home Replacement Program. C. Hannifan stated that Gloucester's program has been so successful that another town in Rhode Island has modeled its program to be just like it.

C. Hannifan stated that they are a Statewide planning program which provides technical assistance. C. Hannifan noted that several years ago, they put together a resource guide using funds collected from the communities they serve. C. Hannifan distributed copies of the guide to the Council members. C. Hannifan thanked the Council for their past support and expressed hope that the Town of Gloucester will continue to support the program. C. Hannifan asked the Council members if they had any questions.

Councilor Burlingame stated that he was told that mobile homes do not qualify as affordable housing and asked if there is a legal definition for affordable housing.

Ray Goff stated that for a mobile home to count as affordable housing, there must be some sort of subsidy placed on the unit. R. Goff noted that by using CDBG funding, we subsidize the new mobile homes that get placed in the mobile home park. R. Goff stated that there are now six (6) units in the park which qualify as affordable housing. Councilor Sette asked if there are deed restrictions placed on these homes. R. Goff replied in the affirmative, stating that if somebody moves in, they must meet the income guidelines. Councilor G. Steere asked if the units will still count as affordable housing even after the loan is paid off. R. Goff answered yes.

David Steere stated that for all mobile homes in the part to qualify, the park would have to be financed by an agency such as Rhode Island Housing. D. Steere stated that the two (2) parks in Gloucester are privately owned. D. Steere asked if somebody sells one of these mobile homes, how is it restricted so that it stays affordable. R. Goff replied that there is a limit regarding how much the home could be sold for. Tim Kane, Assistant Town Solicitor, added that the buyer must also meet the income guidelines.

Walter Steere, Jr. asked that a history of mobile homes which shows ownership and tax information be provided at the next Public Hearing. Councilor Burlingame noted that according to the Tax Collector, 42% of the mobile home owners in Gloucester are delinquent in their taxes.

There was Council consensus to send a letter to Kevin Kitson, manager of the Village at Chopmist Hill, requesting this information.

There was discussion concerning whether to include the \$3,000 request in the Community Development Block Grant application. T. Kane stated that by Council consensus, this could be placed on the next agenda and the Town Planner, the mobile home park manager and the monitoring agent could obtain the requested information prior to the meeting.

Councilor W. Steere stated that the requests will be referred to the Planning Board for an opinion on consistency with the comprehensive plan. Once the application is completed there will be a second public hearing.

Councilor W. Steere asked if anybody else would like to be heard. Hearing none, Councilor W. Steere DECLARED the Public Hearing Closed.

Discussion: Councilor W. Steere asked R. Goff if he would be completing the application. R. Goff replied in the affirmative.

MOTION was made by Councilor G. Steere to schedule the second public hearing of the CDBG application for April 4th, 2013; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VII. Consent Item - Discussion and/or Action

A. Town Council Minutes - February 6th, 7th, 21st, & 26th, 2013

MOTION was made by Councilor Sette to APPROVE the Town Council minutes of February 6th, 7th, 21st and 26th, 2013; seconded by Councilor G. Steere

Councilor Sette withdrew his motion and Councilor Steere withdrew his second.

MOTION was made by Councilor Sette to APPROVE the Town Council minutes of February 7th & 21st; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

MOTION was made by Councilor Sette to TABLE the approval of the Town Council minutes of February 6th & 26th; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VIII. Unfinished Business

A. Board and Commissions

1. Appointments - Discussion and/or Action

a. Community Resource Commission

1. One Alternate one year terms

MOTION was made by Councilor G. Steere to TABLE the appointment to the Community Resource Commission; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

b. Local Board of Appeals for Building Code

1. One five year term to expire 6/2015

Councilor W. Steere stated that the Clerk is advertising for candidates and will advise for next meeting.

MOTION was made by Councilor G. Steere to TABLE the appointment to the Local Board of Appeals for Building Code; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

c. Land Trust

1. One expired (2/2013) five year terms to expire 2/2018

Councilor Sette stated that there are three (3) applicants for this position and suggested interviewing them prior to the next meeting. As the liaison to the Land Trust, Councilor Sette stated that he will contact the applicants and ask them to arrive at 7:00 p.m. on March 21st.

MOTION was made by Councilor Reichert to TABLE the appointment to the Land Trust for one five year term to expire 2/2018; seconded by Councilor Burlingame.

Discussion:

There was discussion regarding whether to conduct the interviews in open or closed session. Tim Kane, Assistant Town Solicitor, stated that many Councils interview in closed session. T. Kane explained that the Council can choose either, but the applicant has the right to have the interview in open session if desired.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Gloucester Code of Ordinance: Discussion and/or Action

1. Proposed addition of Ordinance re: Depositing snow/ice on roadways

Discussion:

Susan Harris, Deputy Town Clerk, stated that there is no advertising requirement for a First Reading, therefore it can be placed on the next agenda. S. Harris noted that the Public Hearing will then be scheduled and advertised.

MOTION was made by Councilor Burlingame to schedule a First Reading of the proposed addition of Ordinance re: Depositing snow/ice on roadways for March 21st; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. Elderly Tax Exemption: Citizen request - Discussion and/or Action

Discussion: None.

MOTION was made by Councilor Sette to REMOVE Item VIII. C. Elderly Tax Exemption from the agenda; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

D. Proposed Use of Kent Property - Discussion and/or Action
1. Update & Future Action - Discussion and/or Action

Discussion:

George Charette, 312 Chopmist Hill Road, stated that he has forwarded to the Council information regarding the work proposed for the Kent Property. Regarding the quoted prices, G. Charette noted that they may increase, depending on the water table.

G. Charette stated that on March 4th, Al Pitman and Norbert Therrien dug two (2) test holes, one failed and one was approved. G. Charette stated that these gentlemen will be looking at a system design which would work well in the area. G. Charette stated that there are several people who have volunteered to work with him on this project.

Councilor G. Steere stated that he spoke to Norbert Therrien today and was informed that the water table is 20 inches. Councilor G. Steere stated that N. Therrien feels that he could design a conventional system with an on-demand pump. Councilor G. Steere stated that an alternative would be a sand filter system, but that would entail a monthly electric bill and annual maintenance fee.

Councilor G. Steere further stated that this is not the type of system that should be shut down for four months in the winter, then started up again. Councilor G. Steere expressed his opinion that a conventional system would be the better option. Councilor G. Steere stated that if we are going to move forward on this, we should install something that could be used occasionally during events such as the 4th of July Parade, but not 24/7 365 days a year.

Councilor G. Steere stated that the Council must decide whether to have a system which is to be used by just the people in the small building one day a week, or something which can be opened for events such as concerts, Boy Scout functions, etc. Councilor G. Steere stated that if we are going to spend \$3,000 on a system, we might as well spend \$7,000 and have a better system.

Councilor G. Steere stated that N. Therrien will have to talk to somebody at DEM to determine if a variance is required due to the water table. If a variance is necessary, Councilor G. Steere feels that it would be approved because of the purpose for the system.

Councilor Burlingame asked if there are any restrictions regarding the installation of a septic system close to a cemetery. Councilor G. Steere replied that the restrictions pertain to public wells and cemeteries.

Councilor Reichert asked how this building project could be accomplished. Councilor G. Steere suggested turning it into a community project and seeking volunteers and donations. Councilor G. Steere stated that this would mean more to the community rather than adding \$150,000 to the budget.

Councilor G. Steere noted that there is enough talent in this town and maybe a few people will contribute financially. Councilor W. Steere stated that items 2 and 3 on the agenda, adopt charge

for committee and appoint committee members, will result in going forward and focusing on what needs to be done.

MOTION was made by Councilor Sette to move forward with the proposed use of property on Main Street known as the Kent Property in order to satisfy the deed requirements; seconded by Councilor Burlingame.

Discussion:

Councilor G. Steere stated that by doing this first step we will satisfy the deed restriction and acquire the property and we would have forever to decide about building a pavilion.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Adopt charge for Committee

Discussion:

Councilor W. Steere stated that the previous discussion will factor into the charge for the committee. Councilor W. Steere stated that we should get this going as soon as possible, as there are already people working and we do not want to hold them back. Councilor Sette noted that Councilor G. Steere has been working closely with the group and recommended that he work with the Town Clerk to help develop a charge, after which a formal committee could be appointed.

MOTION was made by Councilor Sette to AUTHORIZE Councilor G. Steere to work with the Town Clerk to develop a charge for the proposed committee; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

3. Appoint Committee members

Discussion: None.

MOTION was made by Councilor Burlingame to TABLE the appointment of committee members; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

IX. New Business

A. Pending General Assembly Legislation - Discussion and/or Action

Discussion:

There was discussion concerning the legislation which pertains to gun registration. Councilor G. Steere stated that there is a proposed registration fee of \$100 per firearm and a penalty of \$1,000 or six months in jail for non-compliance. Councilor G. Steere stated that he is opposed to this legislation and attended a rally at the State House with Rep. Chippendale, who is also against it. Councilor G. Steere noted that Rep. Chippendale has done a lot for us and it would help him if the Council had a Resolution in opposition to the proposed legislation. The other Councilors agreed.

MOTION was made by Councilor Burlingame to support Representative Chippendale in his opposition of House Bill H-5573, An Act Relating to Criminal Offenses - Weapons; seconded by Councilor G. Steere.

Discussion:

Tim Kane, Assistant Town Solicitor, recommended that the Council adopt a Resolution at the next meeting.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Councilor Sette spoke regarding House Bill H-5342, which would repeal the Caruolo Act and would provide city and town councils with the authority to ratify collective bargaining agreements negotiated by school committees. Councilor Sette stated that his only issue with this is that it does not address how town councils of regional school districts would be able to do the same thing.

Councilor Sette stated that he has requested that the language be amended to include this. Anne Ejnes, School Committee member, commented that if the Town Councils are to be involved in contract ratification, they must have representation throughout the process. A. Ejnes stated that she would like that wording to be put into the law to eliminate any gray area.

There was discussion regarding House Bill H-5050, which deals with State aid to cities and towns. Councilor Sette read the following paragraph:

- © f during any fiscal year the state reimbursement to cities and towns and school districts is insufficient to cover the costs of state mandates as reported by the department of revenue, the affected cities, towns and school districts may cease implementation of the state mandates at their discretion up to 50% of the value of the reimbursement shortfall.

Councilor G. Steere expressed his opinion that it should read "100%" instead of "50%."

There was Council discussion regarding House Bill H-5292, which would prohibit cities and towns from enacting ordinances which are more restrictive than regulations established and enforced by the department of environmental management or the coastal resources management council. Councilor Sette stated that he does not agree with this legislation, particularly for a rural community like ours where we may want to have stricter ordinances than the State.

Councilor W. Steere concurred, adding that we do not want to lose control of our Town to the State. Councilor G. Steere asked for an example where the Town would want to be more restrictive than the State. Councilor W. Steere replied that he would like the Town to have the freedom to have stricter regulations and not have the State say that we cannot do it. Councilor Sette stated that environmental issues such as stormwater and wastewater are good examples.

Councilor G. Steere commented that the Town Council eliminated the 150 foot setback requirement which was included in the Wastewater Management rules and regulations. Councilor G. Steere expressed his opinion that in this case, it makes more sense to follow DEM's guidelines.

Roy Najecki, Land Trust member, stated that he feels that cities and towns have a better view of what is right for their community versus the State. R. Najecki stated that his area of concern is the dates of hunting season, stating that the Land Trust prefers to have certain restrictions. Councilor Sette commented that if this bill passes, we would not be able to do that.

There was discussion concerning House Bill H-5250, which pertains to sales tax. Councilor Sette explained that this bill means that if the State has a minimum budget surplus of 20 million dollars, each city and town shall receive an additional 1% of the sales tax collected by businesses in that municipality.

There was discussion regarding Senate Bill S-0262, which deals with Foundation Level School Support. Councilor Sette explained that this act would provide that if a community's school department undertakes repairs eligible for school housing aid reimbursement and funds such repairs from the school district's budget as opposed to the community's municipal budget, then the reimbursement aid would be paid directly to the school department.

There was discussion regarding Senate Bills S-0364 and S-0365, both of which concern binding arbitration. Councilor Sette noted that the Council has already stated its opposition to anything pertaining to binding arbitration.

Councilor Sette spoke about House Bill H-5466, which would recalculate the regional bonus given to regionalized school districts after the first two fiscal years. Councilor Sette stated his opinion that the towns of Glocester and Foster, as well as the School Committees, should support this legislation.

MOTION was made by Councilor Sette to prepare a Resolution in support of House Bill H-5466, an Act Relating to Education - The Education Equity and Property Tax Relief Act; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Resignation

1. Tree Warden - Discussion and/or Action

Councilor W. Steere stated that the Clerk has received and filed the resignation of Bruce Payton from this position.

MOTION was made by Councilor Sette to ACCEPT the resignation of Bruce Payton from the position of Gloucester Tree Warden; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. Appointments

1. Tree Warden- Discussion and/or Action

Councilor W. Steere stated that Todd Anderson holds the position of Deputy Tree Warden. Councilor W. Steere spoke with T. Anderson to inquire if he would like to fill the position of Tree Warden. T. Anderson replied that he will consider the position and will notify the Council of his decision.

MOTION was made by Councilor Burlingame to TABLE the appointment of Tree Warden until the meeting of March 21, 2013; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Planning Dept.

a. Comprehensive Plan Update Temporary Employee - Discussion and/or Action

Ray Goff stated that there was one (1) response to the RFP for a consultant to work on the Comprehensive Plan, however the amount quoted by the consultant was quite high. R. Goff stated that an alternative would be to hire a temporary employee to work in the Planning Office on a part-time basis. The employee would also attend the Planning Board meetings to go over

the necessary changes to the Comprehensive Plan. R. Goff asked for Council authorization to advertise for this position.

Councilor W. Steere questioned the estimated cost of this proposal. R. Goff replied that the firm which responded to the RFP submitted a bid of \$54,000, but we are actually looking at about \$30,000 worth of work. R. Goff suggested that the temporary employee be paid on an hourly basis. Councilor G. Steere asked if there could be a cap or if there is an estimate of how many hours the job will take.

Councilor W. Steere stated that if we could calculate approximately how much time this project would take, it would give us an approximate figure of what it might cost. R. Goff stated that he does not have the numbers at the moment, but would like to get moving on the advertising process.

Councilor Burlingame stated that advertising in the suggested format would be cost-effective because the part-time employee would automatically be covered by the Town's insurance. Councilor Sette stated that if a consulting firm was hired to do the update, they would be responsible for printing the updated books. Councilor Sette asked if the Town would be responsible for printing costs if a temporary employee is hired. R. Goff replied in the affirmative, but added that the printing cost is estimated at only \$1,000.

Councilor Burlingame suggested that the Council give R. Goff the authorization to advertise for the position and at the next meeting, the Council and R. Goff could review the numbers.

MOTION was made by Councilor Burlingame to AUTHORIZE the Town Planner to advertise for candidates for a temporary position for the updating of the Gloucester Comprehensive Community Plan, and at the next meeting the Town Planner will come back with some numbers; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Councilor W. Steere noted that the Planning Board had submitted a recommendation in favor of hiring a temporary employee as a cost effective solution.

D. Boards & Commissions

1. Appointments - Discussion and/or Action

a. Planning Board

Two expired (5) year terms to expire 3/2018

Councilor W. Steere stated that these appointments are for the expired terms of Russell Gross and George Charette, both of whom have informed the Town Clerk they wish to be reappointed.

Discussion: None.

MOTION was made by Councilor Reichert to REAPPOINT Russell Gross and George Charette to the Planning Board for five year terms to expire 3/2018; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

E. Transfer of Funds Request

1. DPW: Hawkins Pond Project reimbursements to Public Works FA (Road Construction) Account

Discussion:

Gary Treml, Public Works Director, requested that the transfer of funds from the Land Trust be placed in the Public Works account for road construction instead of the General Fund. Councilor W. Steere asked G. Treml where the money used on the Hawkins Pond project came from. G. Treml replied that some came from his regular budget for his employees and some came from budgeted line items.

Councilor Burlingame pointed out that work which would otherwise have been done did not get done because the Public Works Department was working on the project. Councilor Burlingame stated that he conferred with the Finance Director regarding this transfer and was told that it would not be a problem as there is a mechanism to transfer the funds into the road account.

Councilor W. Steere stated that we are in new territory, adding that we charged the Land Trust for labor in addition to the materials used on the project. Councilor Sette stated that his biggest concern is with the auditors' point of view. Councilor Burlingame stated that if there is any question, the Finance Director can explain. Councilor G. Steere noted that there was no profit involved. G. Treml stated that he spoke with the Finance Director before making this request.

Councilor Sette stated that it was initially an operating expense and questioned if the road account is an Operating Account or a Capital Account. Councilor Sette stated that the Finance Director could give the Council an update at the next meeting. Councilor Burlingame stated that the easiest way would be to put the funds in the Capital Account because it would be very visible. Councilor Sette stated that when we receive reimbursement from FEMA after flooding,

etc., the money going out is from the Operating Budget, and asked where the reimbursement is placed. There was Council consensus to hold off on this request until the next meeting when the Finance Director can give a clear idea of where the reimbursement will be going.

MOTION was made by Councilor Reichert to TABLE until the next meeting of March 21, 2013 the transfer of funds received by Public Works from the Land Trust, reimbursement for work done on the Hawkins Pond Project, to the Public Works FA, (Road Construction) Account; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

X. Department Head Report/Discussion Bds. & Commissions - Discussion

- A. Susan Harris, Deputy Town Clerk, stated that a letter was received from the Gloucester School Committee requesting a workshop with the Town Council to discuss long-term financial planning. Anne Ejnes, Gloucester School Committee chair, stated that we are in the third year of the implementation of the Funding Formula and explained that every year, the State will give us \$80,000 less than we received the previous year.

A. Ejnes stated that when we look at the \$80,000 compounded over ten years, there is cause for concern. A. Ejnes stated that the School Department has a healthy fund balance, but they are concerned regarding how long it will last. A. Ejnes stated that they do not wish to wait until the schools become bankrupt as some other communities have done. A. Ejnes suggested that a joint subcommittee be created to come up with some proposals. After discussion, a workshop was tentatively scheduled for March 20th at 7:30 p.m.

- B. David Steere, Budget Board chair, stated that the Budget Board had also recommended that the Gloucester School Committee and Town Council meet to discuss long-term planning. D. Steere stated that the School Department has not used any of their fund balance in the last five-years, adding that the balance has gone from \$450,000 to 2.3 million dollars during that time. D. Steere agreed that there will be a problem in the future, but not in the next several years.

D. Steere stated that if the School Committee plans their budgets two or three years in advance and uses some of their fund balance, perhaps they will lose \$40,000 per year instead of \$80,000. Councilor Burlingame commented that this makes more sense than a five or six year plan because the closer you are, the more you will know what you're doing. A. Ejnes stated that they are looking ahead to see what enrollment will be in the next few years. D. Steere stated that this should be on paper and should include all assumptions regarding how the numbers were determined.

- C. Roy Najecki, Land Trust member, stated that this Saturday, members of the Land Trust and Conservation Commission will be attending a Conservation Summit at URI, which will consist of 30-minute seminars throughout the day.

R. Najecki stated that the Friends of the Gloucester Land Trust have requested permission to hold an Easter Egg Hunt on March 30th at Steere Hill. This was brought up at the Land Trust meeting during Open Forum, therefore it was not voted on. R. Najecki stated that the Land Trust members have agreed to this request and will ratify it at their next meeting.

R. Najecki noted that the local equestrian riding club has offered to assist with Earth Day clean up of the trails at one of the Land Trust properties.

R. Najecki stated that a Full Moon Walk and Campfire is tentatively scheduled for May 25th at Steere Hill.

R. Najecki stated that, for their meeting on March 19th, the Land Trust would like to obtain a cleaned up copy of the Rules and Procedures that were discussed at the joint meeting of the Land Trust and Town Council.

R. Najecki asked what is the procedure for changing the date, time and/or frequency of Land Trust meetings. Tim Kane, Assistant Town Solicitor, replied that the Land Trust would need to have a motion to amend their annual schedule and republish the amended schedule.

XI. Council Correspondence/Discussion

- A. Councilor G. Steere stated that he attended the Regional School Committee meeting and their new attorney is confident that the legislation which was passed does not apply to their Capital Lease. Councilor G. Steere stated that he called the Attorney General's Office as a taxpayer to find out what they think about it. Councilor G. Steere stated that the School's attorney feels that the Attorney General has nothing to do with it, but that it is at the discretion of the Commissioner of Education. Councilor G. Steere stated that he will keep the Council informed if he hears back from the Attorney General.

Tim Kane, Assistant Town Solicitor, stated that he spoke with the School's attorney regarding this matter, adding that he does not agree with him. T. Kane stated that he feels that the Act is pretty clear and he is trying to wrap his mind around the attorney's argument. T. Kane stated that if the Council wishes to pursue the matter, they may have to meet in closed session under "Potential Litigation." If so, T. Kane stated that he will do more research.

Councilor G. Steere asked if it is the Town's responsibility to spend money to fight this or is the School Committee disobeying the law. T. Kane stated that usually the Attorney General will only get involved if there is a challenge to the constitutionality of a statute. T. Kane stated that the statute is enforceable in Superior Court and he feels

that there is an argument to be made. T. Kane stated that the other attorney believes that the amount of debt service was never included in the Maintenance of Effort. Councilor G. Steere asked how he could think that when we vote on one budget which is the total Maintenance of Effort.

Councilor Burlingame stated that he attended both House and Senate hearings and it was clear that the committees wanted to take the Commissioner of Education out of the decision process. Councilor Burlingame suggested that an Executive Session be scheduled. Councilor Sette agreed and added that it should be done at the next Council meeting. It was noted that the Foster-Glocester Regional Financial meeting is scheduled for March 19th.

- B. Councilor W. Steere stated that correspondence was received from the RI Clean Water Agency with regard to next year's pooled wastewater bond.
- C. Councilor W. Steere stated that the Council has received a request from a resident who wishes to raise chickens on his property. Susan Harris, Deputy Town Clerk, stated that she has spoken to the Zoning Official who has stated that there is a two-acre minimum and the house must be 60 feet from the property line. S.

Harris noted that this resident does not fall into these categories. Councilor Sette stated that the process would be to apply for a Variance from the Zoning Board. George Charette, Planning Board chair, stated that the setback was amended from 60 feet to 50 feet, including the house. After further discussion, it was stated that this is a Zoning issue.

- D. Councilor W. Steere stated that the Council has forwarded correspondence to the Foster-Glocester School Committee with regard to Maintenance of Effort. The letter also acknowledged that the Council is in favor of investing in technology that directly affects student performance.
- E. Councilor W. Steere stated that a letter was received from the Northern Rhode Island Conservation District asking the Town for funding for this year.
- F. Councilor W. Steere stated that the Council has received a letter from the Glocester School Committee which was previously discussed.
- G. Councilor W. Steere stated that correspondence was received from the Department of Environmental Management regarding the Town's project priority list for 2014.
- H. Councilor W. Steere stated that a letter was received from Baxter, Dansereau & Associates, auditors for the Town, which included several financial statements.
- I. Councilor W. Steere asked Tim Kane, Assistant Town Solicitor, about the licensing status of the Building Official. T. Kane replied that it is in process but he does not

know when it will be resolved. Councilor W. Steere commented that it has been 2½ years.

XII. Open Forum

- A. Tom Sanzi asked who is in charge of clearing snow from the bridges in Town. It was stated that Putnam Pike is a State road and it is the State's responsibility. T. Sanzi noted that there is an enormous amount of sand and salt on the sidewalks left from the recent snow storms. T. Sanzi spoke regarding Earth Day, stating that perhaps the Boy Scouts would volunteer to help clean up the parks.
- B. Dennis Cipriano spoke about the Town's website, stating that he would like the opportunity to update it by bringing a new look and feel and adding access points such as videotaping proceedings. Councilor Sette suggested that Mr. Cipriano speak to the Town Clerk, as she manages the website for the Town. D. Cipriano commented that the website's technology is outdated from the early 1990's, adding that Burrillville's website is far superior to Gloucester's.

Councilor Sette asked Mr. Cipriano if he does website design. D. Cipriano replied in the affirmative, stating that his company, Midfield Technologies, has accounts from Alaska to Florida. Councilor G. Steere commented that Mike DeGrange has been saying for two years that the website should be updated. Councilor Reichert pointed out that D. Cipriano set up the Tax Collector's office to allow payment by credit card.

- C. Tom Sanzi spoke about Council meetings being broadcast on Cox Cable. T. Sanzi stated that you just have to call the company and make the request. Councilor Sette replied that it is not that simple; they will provide the equipment but we would need an individual who is trained on the equipment and is available to do the meetings. Councilor Sette stated that he has contacted New England Tech to inquire if there is a student from their TV/radio department who may be interested.
- D. Mike DeGrange stated that when he served on the Economic Development Commission, they were looking into improvements to the website and what Mr. Cipriano says about Burrillville's website is true. In response to Tom Sanzi's comment about Earth Day cleanups, M. DeGrange stated that there are two boys in his troop who need to do Eagle Scout projects.

XIII. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 9:22 p.m.; seconded by Councilor Reichert.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the April 4, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **March 20, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President;
George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Jean Fecteau, Town Clerk; Tim Kane, Town Solicitor; Tom Mainville,
Finance Director; Anne Ejnes, Walter Steere Jr. , Beth Keeling, School
Committee members; and Pat Dubois, Gloucester School Superintendent.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum for Agenda Items

None

WORKSHOP WITH THE GLOUCESTER SCHOOL COMMITTEE

V. Long Term Financial Planning for the Gloucester Schools - Discussion and/or action

Councilor W. Steere explained the purpose of tonight's workshop was to have discussion between the Council and the Gloucester School Committee regarding long term financial planning, budgets going forward, reductions in state aid, etc.

A. Ejnes addressed the Council thanking them for this meeting and explaining the School Committee would like to bring forward to the Council financial concerns they have. What we can do as a community to address funding education down the road. A. Ejnes expressed the local schools have been level funded for four years and during that time they have increased their fund balance.

A. Ejnes commented that Supt. Dubois & T. Mainville have worked hard on the schools budget. A. Ejnes also stated that school revenue is dropping and even though they have made efforts to drop the amount of their expenses, the school committee can't keep up.

T. Mainville gave the Council a portion of the budget adopted by the school committee on 3/19/2013. T. Mainville reviewed the revenue information and gave examples of areas in the budget where revenue has dropped off.

T. Mainville then reviewed and gave a history of the Fund Balance account to show the reason for the current amount of \$2.3 million dollars. T. Mainville explained that the fund balance could be used to pay down the unfunded liability but it will be gone in no time due to the magnitude of the liability as it compounds over the ten years.

P. Dubois, Supt., discusses the work she has done to control spending. P. Dubois pointed out that fluctuations in student population does not always warrant dropping staff. P. Dubois explained the following areas where savings were realized: Redistricting; when close to capacity and the unions asked for another teacher there was no increase to staffing; staff co-pays and salary issues; acceleration of all capital projects (to get the reimbursement from the state (before housing aid moratorium was effective) to go those funds back into capital fund).

Eb asked if anyone had an idea as to what the 20% co-pays and non-cert. Paying 10% since 2010-2011, cert - no raise this year. salary saved the school. Tm stated 176,000 as employee contdri was budgeted in „2011-12 we budget 190,000. We can't get the actual because the numbers for health care and contributions is broken out. Eb acknowledged that the Savings have contib to the increase in fund balance, and he does not know what part is a non-recurring savings.

A. Ejnes explained we could fund what is needed from fund balance but we would rather systematically and strategically spend it down so as not to deplete it entirely in conjunction with long term planning.

Tom distributed a four case scenario regarding the use of the fund balance.

Ss asked what the exposure for the school was currently in regards to OPEB funds. Tm explained the school is in good shape and through two actuarial studies has faired well.

VI. Adjourn

Jean M. Fecteau, Town Clerk

Approved at the July 18, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **March 21, 2013**

I. Call to Order

The meeting was called to order at 7:00 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President;
George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Susan Harris, Deputy Town Clerk; Tim Kane, Assistant Town Solicitor;
Tom Mainville, Finance Director; Joseph DelPrete, Chief of Police; Ray
Goff, Town Planner; Gary Treml, Director of Public Works; and Judy
Branch, Director of Human Services.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Seek to Convene to Executive Session - Discussion and/or Action

A. R.I.G.L. 42-46-5(a) 1 - Interviews for Gloucester Land Trust Trustee

MOTION was made by Councilor Sette to CONVENE to Executive Session pursuant to R.I.G.L.
42-46-5(a) 1- Personnel; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

V. Reconvene Open Session

Disclose votes taken

MOTION was made by Councilor Sette to SEAL the minutes of Executive Session (no votes
were taken); seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VI. Interviews for Gloucester Land Trust Trustee (if requested by applicant)
Discussion and/or Action

No Action.

VII. Open Forum for Agenda Items

- A. George Charette stated that he submitted paperwork to the Town Clerk today pertaining to the proposed administration building at the Kent Property. G. Charette asked to speak when the subject is addressed so that he may explain the documents to the Town Council.
- B. Elaine Fontaine asked if she could give comment when the Council addresses the agenda item that pertains to the Friends of the Land Trust.

VIII. Resolutions - Discussion and/or Action

- A. Opposition of House Bill H-5573, An Act Relating to Criminal Offenses - Weapons

Councilor G. Steere read the following Resolution:

Resolution 2013-08
Opposition to House Bill 2013 H-5573

WHEREAS; on February 14th, 2013 a proposed amendment to Title 11, Chapter 47 of Rhode Island General Laws was introduced for passage that proposes to eliminate Section 41, “Government Firearm Registration prohibited” which prohibits the keeping of a list of privately owned firearms by any government entity; and

WHEREAS; firearms owners have taken the necessary steps to obtain licensing for the firearms they own, such as, background checks, finger printing, and firearms permits from the local government; and

WHEREAS; this amendment, if passed, would impose an additional tax for firearms owners as well as a penalty for not registering; and

WHEREAS; we believe this proposed law to be unconstitutional as it is an infringement of our second amendment right to bear arms and is an example of a basic right, protected by the Bill of Rights, only being available to citizens by first paying a fee; and

WHEREAS; the registration of each citizen’s firearm will be received by the “licensing authority of any city or town” thereby creating another state licensing mandate, and a source for confidential information to be used in an inappropriate manner which could become an invasion of our privacy ; and

NOW, THEREFORE, BE IT RESOLVED that we, the Town Council of the Town of Gloucester respectfully request the Rhode Island General Assembly to oppose 2013- H 5573 and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to our Legislators with a request for their support.

Walter M.O. Steere, III, President
Attest: Jean Fecteau, CMC, Town Clerk

Adopted: March 21, 2013
seconded by Councilor Burlingame.

Discussion:

Councilor Burlingame commented that publishing the names of firearms owners lets the criminals know where not to go. Furthermore, Councilor Burlingame stated that this is just another sneaky tax and the legislation should not be passed.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

B. In Support of House Bill H-5466, an Act Relating to Education
The Education Equity and Property Tax Relief Act

Councilor Sette read the following Resolution into the record:

Resolution 2013-09
Support of House Bill 2013 H-5466

WHEREAS; Title 16-7.2-6 of Rhode Island Public Law outlines the Categorical programs funded by the State, in addition to the foundation education aid and Section f. is dedicated to a bonus for regionalized school systems; and

WHEREAS; whereas, the law, as written, would cause the regionalization bonus to cease after the second year; and

WHEREAS; in our current economy our schools will continue to be a source for budget reductions in all communities efforts to “make ends meet” as costs continue to soar; and

WHEREAS; one example of those costs rising is due to the expanse of area covered by the Foster/ Gloucester Regional School District the cost of transportation for students to and from school adds an additional burden on the taxpayers of the Towns of Foster and Gloucester, unlike that of their urban counterparts; and

WHEREAS; the proposed amendment would recalculate the regional bonus given to regionalized school districts after the first two fiscal years as well as provide a mechanism for bonuses to continue beyond the second year, and

NOW, THEREFORE, BE IT RESOLVED that we, the Town Council of the Town of Glocester respectfully request the Rhode Island General Assembly support 2013- H 5466 and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to our Legislators with a request for their support.

Walter M.O. Steere, III, President
Attest: Jean Fecteau, CMC, Town Clerk

Adopted: March 21, 2013
seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

- IX. Consent Items - Discussion and/or Action
- A. Town Council Minutes - February 6th, 26th, March 7, 2013
 - B. Tax Assessor's Additions & Abatements
 - C. Tax Collector's 2002 Receivable Tax Roll Abatement
 - D. Finance Director's Report - October 2012

Councilor W. Steere stated for the record that he wishes to table the minutes of March 7, 2013 until the next meeting.

MOTION was made by Councilor G. Steere to TABLE the Town Council minutes of March 7, 2013; to TABLE the Town Council minutes of February 6th, & 26th; to APPROVE the Abatements to the 2006 Tax Roll in the amount of \$150.51; the 2007 Tax Roll in the amount of \$399.23; the 2008 Tax Roll in the amount of \$249.79; the 2011 Tax Roll in the amount of \$425.65; the 2012 Tax Roll in the amount of \$202.48; there are no Additions; to APPROVE the Tax Collector's 2002 Receivable Tax Abatement in the amount of \$22,419.57; and to ACCEPT the Finance Director's Report for October 2012; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

- X. Unfinished Business
 - A. Board and Commissions
 - 1. Appointments - Discussion and/or Action
 - a. Community Resource Commission -
 - 1. One Alternate one year terms

Councilor W. Steere asked Linda Nichols, Community Resource Commission chair, if she had any recommendations for this position. Linda Nichols replied in the negative, adding that Pete Skeffington and Henry Gold will be resigning, leaving a total of three (3) vacancies. L. Nichols stated that she will contact Dana Hopkins to ask if he would like to come back to the Commission. Susan Harris, Deputy Town Clerk, stated that the Town Clerk will again be advertising for volunteers to serve on all Boards and Commissions.

MOTION was made by Councilor Reichert to TABLE the appointment to the Community Resource Commission for one alternate one year term; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

- b. Local Board of Appeals for Building Code
 - 1. One five year term to expire 6/2015

MOTION was made by Councilor Reichert to TABLE the appointment to the Local Board of Appeals for Building Code for one five year term to expire 6/2015; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

- c. Land Trust
 - 1. One expired (2/2013) five year term to expire 2/2018

MOTION was made by Councilor Reichert to APPOINT Stephen Mitchell to the Land Trust for one five year term to expire 2/2018; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Councilor Sette stated that a resignation from a member of the Land Trust was received today, noting that the Council cannot accept the resignation at this meeting as it was received after the agenda was posted. Councilor Sette stated that there will be another appointment to the Land Trust at the next Town Council meeting. Councilor W. Steere thanked the candidates who came in for interviews this evening and stated that it shows a level of commitment.

B. Appointments

1. Tree Warden- Discussion and/or Action

The Deputy Tree Warden (Todd Anderson) was asked before the last meeting if he would like the appointment to the position of Tree Warden. T. Anderson has informed the Council that he cannot accept the position due to other commitments, but will continue to serve as Deputy Tree Warden.

Councilor W. Steere stated that we will advertise for this position. Councilor Sette stated that it is a good time to do so as the certifications have just come in and we can obtain a list of local licensed arborists who meet the criteria to serve as Tree Warden.

MOTION was made by Councilor Sette to TABLE the appointment of the position of Tree Warden for the 2013 term; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. Transfer of Funds Request

1. Land Trust reimbursement update (Hawkins Property) - Discussion and/or Action

Councilor W. Steere stated that at a special workshop with the Land Trust, an agreement was reached on the numbers to be used for the reimbursement, but payment has not been received.

Discussion:

Roy Najecki, Land Trust member, stated that the Land Trust voted to table this matter because not all members had the payment schedule and figures. Councilor Sette asked if this pertains to the next agenda item also. R. Najecki replied in the affirmative.

MOTION was made by Councilor Sette to TABLE Land Trust reimbursement update (Hawkins Property); seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. DPW: Hawkins Pond Project reimbursements to Public Works FA (Road Construction) Account - Discussion and/or Action

Discussion: None.

MOTION was made by Councilor Sette to TABLE DPW: Hawkins Pond Project reimbursement to Public Works FA (Road Construction) Account; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Councilor Sette noted that there are several additional items on the agenda which pertain to the Land Trust, and suggested that the Town Council address them at this time.

MOTION was made by Councilor Sette to MOVE Item E. under Unfinished Business and Item E. under New Business to this point of the meeting; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

E. Land Trust - Discussion and/or Action

1. Rules & Regulations Update

Councilor Sette stated that several changes have been made and discussed at the workshop, adding that he would feel comfortable adopting the Rules and Regulations at this time. Councilor Burlingame expressed agreement. Tim Kane, Assistant Town Solicitor, stated that the Land Trust must vote on it prior to adoption by the Town Council. Councilor W. Steere asked Roy Najecki if the Land Trust has voted on the Rules and Regulations. R. Najecki replied in the negative.

MOTION was made by Councilor Burlingame to TABLE the adoption of the Land Trust Rules and Regulations; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

E. Land Trust - Discussion and/or Action
1. Friends of Land Trust & Land Trust Trustees

Councilor Sette spoke regarding the Easter Egg Hunt which is planned by the Friends of the Land Trust, stating that there is some confusion concerning whether the Land Trust had approved the event. Councilor Sette stressed that he is not opposed to the Easter Egg Hunt, but stated that he is looking at it from a procedural point of view.

Roy Najecki, Land Trust member, stated that the event was brought up in Open Forum of the Land Trust meeting, therefore no vote could be taken. R. Najecki stated that there is no written policy regarding groups using Land Trust properties, adding that various groups have held events without the knowledge of the Land Trust. R. Najecki commented that this matter should be addressed by the Land Trust.

Tim Kane stated that the Land Trust properties are open to the public, however in cases such as the Easter Egg Hunt, the Land Trust should check with its insurance company to determine if there are liability issues.

Councilor Sette stated that an advertised event, such as the Easter Egg Hunt, should be approved by the Land Trust beforehand. Councilor G. Steere concurred, stating that the Friends of the Land Trust have advertised an event on Land Trust property without the approval of the Land Trust.

R. Najecki noted that for DEM management areas, a permit is required for groups of 12 or more people, and suggested that a similar policy be adopted for Land Trust properties.

Councilor G. Steere stated that the Friends of the Land Trust website lists Roy Najecki as co-chair, and asked if he had stepped down from that position. R. Najecki replied that Councilor G. Steere may have been looking at the Secretary of State's corporation website which is only updated annually. Councilor Burlingame noted that according to a letter he received recently, no members of the Land Trust serve on the board of the Friends of the Land Trust.

Russell Gross stated that he has tried several times to reach the Trust regarding liability issues of the Easter Egg Hunt, however they will only speak to the chair of the Land Trust. R. Gross noted that there is no chairperson at this time. Tim Kane stated that the Land Trust should put this on their next meeting agenda.

Elaine Fontaine, president of the Friends of the Gloucester Land Trust stated that they are more than willing to comply with the Land Trust. E. Fontaine noted that the organization creates an opportunity for young people to volunteer to clean up the properties.

Allen Clawson, Executive Director of the Friends of the Land Trust, stated that he attends all of the Land Trust meetings. A. Clawson stated that typically, the Friends will notify the Land Trust regarding any planned events, however, the way the meeting schedule fell, there was not adequate time to provide a two-month notice. Councilor G. Steere stated that there is still time to place it on the agenda for the Land Trust meeting next week.

Lili Feinstein, board member of the Friends of the Land Trust, stated that there were events held once a month last year, but they were considered Land Trust events which the Friends were happy to help out with, primarily in terms of publicity. Lili Feinstein stated that the Friends assumed that they had the Land Trust's approval and would never go behind their back.

Russell Gross again stated that the insurance company will not discuss liability with him because he is not the chair of the Land Trust. Tom Mainville, Finance Director, stated that he will act as a go-between with regard to the insurance company.

D. Proposed Use of Kent Property - Discussion and/or Action

1. Update & Action (if necessary)

George Charette gave the Council an overview of the documents submitted by Norbert Therrien with regard to septic design and soil analysis for the Kent Property. G. Charette stated that a bill in the amount of \$500.00 was enclosed for these services, noting that this amount was approved by the Town Council. G. Charette stated that the Council must now decide what type of septic system to install and how to finance the construction of a small administration building.

Councilor W. Steere commended G. Charette for his efforts, stating that this is as far as we have gotten on this project since he has been on the Council. Councilor W. Steere asked who are the individuals who are interested in serving on a committee for this project. G. Charette replied that Councilor G. Steere, Town Planner Ray Goff, Building Official Carl Riccio, Charlie Wilson of the Historic District Commission, and himself would comprise the committee.

Councilor Reichert asked Rose LaVoie how funds were obtained for the renovation of the Ruben Mason House. R. LaVoie replied that a \$250,000 grant was received from the Rhode Island Historic Preservation Commission as well as \$85,000 from the Champlin Foundation. R. LaVoie noted that this was considered a restoration project. Regarding the Kent Property project, R. LaVoie stated that it would not be eligible for grants and expressed her opinion that the taxpayers do not want to spend any more money to construct and maintain a building.

2. Adopt charge for Committee

Councilor W. Steere stated that this is the third meeting that the Council has spoken about this and stated that it is important to put this in motion by appointing a committee. Councilor W. Steere stated that we need a committee to explore different options for use of the property, for example, moving the school house that is now behind the Town Hall.

Councilor G. Steere stated that he will work with Jean Fecteau, Town Clerk, and the Solicitor to develop a charge for the committee to be presented at the next Town Council meeting. Councilor G. Steere commented that we have spoken about this for years, adding that there are not that many years left that the land will be available.

Councilor Sette agreed but stated that there is still the issue of funding. Councilor Sette stated that he would not want the group to go forward with false hope. Councilor G. Steere asked how funds were raised for the completion of the Senior Center when the project went over budget.

Councilor Sette stated that we never went over budget and the project was actually under budget. Councilor Reichert stated that commemorative bricks were sold. Councilor Sette stated that was for other things such as furnishings for the center.

MOTION was made by Councilor G. Steere to TABLE the adoption of a charge for a Committee to work on the use of the Kent property; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

3. Appoint Committee members

MOTION was made by Councilor G. Steere to TABLE the appointment of committee members (use of Kent Property); seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

E. Land Trust - Discussion and/or Action (This agenda item moved.)

1. Rules & Regulations Update

XI. New Business

A. Gloucester Code of Ordinance - Discussion and/or Action

1. 1st Reading, Proposed Addition - Depositing snow/ice on roadways

Councilor Sette read the following proposed ordinance:

Sec. 242-2. - Deposit of snow and ice.

No person shall deposit or cause to be deposited any snow, ice or other substance upon the plowed surface of any street or public highway in the town. The fine shall be \$100 per occurrence.

Discussion: None.

MOTION was made by Councilor Burlingame to set a public hearing for April 18, 2013 to hear the proposed Gloucester Code of Ordinance amendment, the addition of Section 242-2, Deposit of snow and ice; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

B. Resignation

1. Conservation Commission

One unexpired Three year term to expire 1/2016

Councilor W. Steere stated that the Clerk has received the resignation of Pete Skeffington from the Conservation Commission. This resignation is on file in the Clerk's Office.

MOTION was made by Councilor Sette to ACCEPT the resignation of Pete Skeffington, with regret, from the Conservation Commission for the unexpired three year term to expire 1/2016; seconded by Councilor G. Steere.

Discussion:

There was Council consensus to send a letter of appreciation to P. Skeffington for his years of service.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

C. Appointment

1. Watershed Communities Advisory Committee - Discussion and/or Action
(Requested by Providence Water Supply Board)

Councilor W. Steere read the following request from the Providence Water Supply Board:

March 8, 2013
Council President Walter M. O. Steere, III
Glocester

Dear President Steere:

Providence Water is contacting the four primary municipalities within the Scituate Reservoir watershed to participate in a joint venture to promote water quality and watershed protection. We will be forming a "Watershed Communities Advisory Committee" which will be comprised of representatives from Providence Water and the watershed towns. The Committee will act in an advisory capacity, focusing on watershed protection issues such as educational outreach, land acquisition, land use planning or any other issue pertinent to our watershed protection efforts.

We are asking each of the watershed towns to appoint an individual to formally participate in representing their community as an advisory committee member. Appointed members will be encouraged to exchange information and serve as community liaisons. Meetings

will be held tentatively on the fourth Monday of each month at 5:00 p.m. and will be open to the public.

We appreciate your consideration of this worthwhile effort. Feel free to contact Mr. Richard Blodgett at 521-6300 x7316 or if you have any questions or require additional information. Otherwise, please forward the name and contact information of your town's representative to Mr. Blodgett at your earliest convenience.

Respectfully,

PROVIDENCE WATER SUPPLY BOARD

Boyne Spinelli

General Manager

(end of memo)

Discussion:

Councilor Sette inquired whether the Water Supply Board is looking for a Council member or somebody from one of the Boards or Commissions. It was stated that the request was not specific. Councilor Burlingame commented that a monthly meeting seems like a lot of time for an advisory board. Councilor W. Steere stated that his concern is that if there is such a board, we should be represented.

Councilor Burlingame stated that he served on a similar board several years ago, but they met once a quarter. Councilor Reichert noted that, in the past, Rich Blodgett would attend Planning Board and Zoning Board meetings to give his opinion on any development in Town. Councilor Sette suggested that the Town Planner call the Providence Water Supply Board to obtain more information regarding this committee.

MOTION was made by Councilor Sette to TABLE the appointment to the Watershed Communities Advisory Committee; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Conservation Commission

One unexpired Three year term to expire 1/2016

Discussion:

Roy Najecki, Conservation Commission member, suggested that the Alternate member, Jacob Bailey, be appointed to the three year term, which would leave the Alternate position vacant.

MOTION was made by Councilor Sette to APPOINT Jacob Bailey to the Conservation Commission for the unexpired three year term to expire 1/2016; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

D. Council Procedure - Discussion and/or Action

1. Process for requesting agenda items

Councilor W. Steere stated that there was some confusion at the last meeting with regard to how items are placed on the agenda for Council meetings. Councilor W. Steere asked Tim Kane, Assistant Town Solicitor, if the Charter addresses this issue. T. Kane replied that there is nothing specific in the Charter, but he will look at the Council's Rules of Procedure.

Councilor Sette commented that in his experience, the Town Clerk adds items to the agenda by request of a Council member. Councilor Sette stated that the only other way to set the agenda would be for the request to be made to the Council president, who would notify the Town Clerk, or to add an item called "Future Agenda Items," which would require two weeks notice.

Councilor Sette stated that he does not see this as a feasible solution. Councilor Burlingame stated that he does not object to what has been done in the past, whereas a Councilor would let the Clerk know if he wanted something on an agenda. Councilor Burlingame stated that he had an issue with the topic at the last meeting, but not the process by which agenda items are added.

Councilor Burlingame stated that the process is good and should not be changed. T. Kane agreed, stating that he would not advise having to go through the Council president. T. Kane stated that Council members have every right to request that the Town Clerk put something on the agenda.

E. Land Trust - Discussion and/or Action - **Agenda item moved.**

1. Friends of Land Trust & Land Trust Trustees

XII. Department Head Report/Discussion Bds. & Commissions - Discussion

- A. Susan Harris, Deputy Town Clerk, stated that the Clerk's Office has received requests for special events from several businesses in Town. S. Harris stated that the Clerk and Town Solicitor have been working together and will schedule a Public Hearing to address these requests. S. Harris noted that this will be a separate meeting from the regular Town Council meeting. S. Harris stated that the Public Hearing must be advertised 10 days prior to the meeting date, therefore, it will be scheduled for the second week of April.

- B. Gary Treml, Director of Public Works, stated that the Transfer Station will be closed on Easter Sunday. G. Treml noted that he will publish an advertisement to inform the public.
- C. Joseph DelPrete, Chief of Police, stated that he and the Council president met with representatives from Code Red regarding an emergency notification system. Chief DelPrete stated that he also looked at another company called Rapid Notify. Chief DelPrete stated that he has obtained prices from both companies and asked the Council for guidance on how to proceed.

Chief DelPrete noted that approximately ten towns in Rhode Island use Code Red, while Rapid Notify services only Coventry. Councilor W. Steere stated that he had the opportunity to meet with Code Red and noted that the system is very user-friendly and is web-based so it can be logged into from anywhere, including smart phones.

Councilor W. Steere pointed out that the system is not only for emergencies but can be used to get information to the public about things such as voting. Regarding funding, Chief DelPrete suggested that it be charged to the EMA account. Chief DelPrete stated that he will prepare a packet of information for the Councilors to evaluate. Councilor Sette stated that he has experience with Code Red and commented that the system is easy to use.

Chief DelPrete stated that the Police Department is in the middle of an eligibility list process and have received over sixty (60) applications.

Councilor G. Steere stated that there had been discussion with Jason Rhodes, Emergency Management Director, regarding a particular person who was very enthusiastic about getting involved as a volunteer. Councilor G. Steere asked Chief DelPrete if anybody has followed up on this matter. Chief DelPrete replied that he has done so, adding that it has been put on hold for now. Councilor G. Steere commented that volunteers are few and far between.

- D. David Steere, Budget Board chair, distributed packets to the Council members which consisted of the Fiscal Year 2013/2014 Budget recommended by the Budget Board, a letter outlining the major points of the Budget, and the Gloucester School Budget, approved by the Gloucester School Committee. D. Steere stated that the funding for the Gloucester Schools as shown in the recommended budget is at \$6,372,035 and the Gloucester School Budget funding from the Town is \$6,626,741, for a difference of \$254,706. D. Steere noted that the Budget Public Hearing is scheduled for Monday, March 25th.
- E. Linda Nichols, chair of the Community Resource Commission, spoke about the garden on Route 94, stating that it will be difficult to get volunteers this year. L. Nichols noted that last year, 300 lbs. of vegetables were grown on the property and donated to the Food Pantry, which is the sole purpose of the garden. L. Nichols suggested offering an incentive for people who sign up as volunteers. L. Nichols stated that she has asked

National Grid to donate lighting combo-packs for this purpose. L. Nichols expressed appreciation to all those who have helped in the past, but stated that more volunteers are needed. Councilor G. Steere asked if FM Global has been approached. L. Nichols replied that employees of FM Global were supposed to help with the garden, but they assisted the Land Trust instead. Councilor Sette suggested asking the Boy Scouts for help.

Linda Nichols spoke regarding the hydro-electric feasibility study, stating that Sen. Whitehouse has offered two of his staff members to work with the Commission to obtain grant funding for the project. L. Nichols stated that she will keep the Council informed on everything.

XIII. Council Correspondence/Discussion

- A. Councilor Reichert spoke regarding the Johnson property at the corner of Money Hill Road and Route 102, stating that the property is in foreclosure. Councilor Reichert asked Tim Kane, Assistant Town Solicitor, for an update on the status of the property. T. Kane stated that the Town has placed a cease and desist order and DEM has a Notice of Violation on the property.

Councilor Reichert stated that the neighboring property owners are still having severe water problems as a result of the work that was done on the property. T. Kane asked if the foreclosure has appeared in the newspaper and, if so, he would like to get a copy of the legal notice. T. Kane stated that he will call the lender because they have expressed willingness to work with the Town with regard to the damage to the property.

- B. Councilor W. Steere stated that a letter was received from the Richmond Police Chief thanking Chief DelPrete for the use of the Mobile Command Center for the Washington County Fair.
- C. Councilor W. Steere stated that a resignation from the Land Trust was received from Henry Gold.
- D. Councilor W. Steere stated that a complaint was received from a resident of Echo Road regarding snow plow damage to a fence. Gary Treml, Director of Public Works, stated that the fence was very close to the road and was in rotted condition, therefore it collapsed under the weight of the snow which was plowed against it. G. Treml stated that he told this to the resident when she stopped into his office. Councilor Reichert agreed with G. Treml, stating that the road is narrow and the plows do not have much room. Councilor Burlingame suggested that G. Treml send a letter to the resident explaining the situation.

XIV. Open Forum

- A. Marie Sweet, representing the Gloucester Heritage Society, stated that some neighboring towns have Ordinances regarding stone walls on private property. M. Sweet stated that

an ad appears regularly in the Bargain Buyer from somebody who buys stone walls. M. Sweet stated that the Society is trying to come up with ways to protect these historic stone walls without “stepping on the toes” of the property owner.

M. Sweet stated that it is her understanding that if a stone wall serves as a property line, it cannot be touched. M. Sweet stated that Burrillville has an ordinance which is very restrictive but Smithfield offers a small tax break if a stone wall is left alone. M. Sweet stated that she will put together a packet of information for the Council’s review. M. Sweet commented that stone walls have historic value and should be protected.

- B. Rose LaVoie reminded the Council members that the Gloucester Heritage Society Gala is scheduled for April 30th. R. LaVoie commented that she and Glennis Beltram solicited items for the silent auction and were very pleased that every business in Town made a donation. R. LaVoie noted that every time an appointment to a board is on the agenda, it gets tabled again and again. R. LaVoie stated that it is a shame that we have such trouble getting volunteers for these positions.

R. LaVoie commented on the Kent property, stating that bathroom facilities require maintenance. R. LaVoie stated that when the Town is asked to open the facilities at Gloucester Memorial Park for local events, there is concern regarding vandalism and who will clean the building after the event. R. LaVoie asked the Council to think long and hard before deciding what to put on the Kent property. R. LaVoie spoke about the Community Resource Commission garden, stating that the Eagle Scouts and high school students are always looking for projects.

- C. Dennis Cipriano stated that he was present at the last meeting to speak about the Town’s website. D. Cipriano noted that he met with the Town Clerk to demonstrate the different upgrades that he could implement. D. Cipriano stated that the Code Red system that the Police Chief spoke about could be integrated with Gloucester’s website. D. Cipriano stated that he submitted a proposal to the Town Clerk.

- D. Allen Clawson spoke about the appointment to the Land Trust, encouraging the Council to take into consideration the amount of land we currently have that requires maintenance and the appointee’s ability and willingness to help manage the properties. A. Clawson noted that these properties are seeing heavier use as a result of an editorial which appeared in a Providence newspaper. As a member of the Friends of the Land Trust, A. Clawson stated that they hope to create more volunteer opportunities for high school students, however a Land Trust member must be present to supervise and handle the legal liability issues.

A. Clawson also stated that the Council should consider a candidate’s expertise in areas such as horticulture and botany. Lastly, A. Clawson stated that diversity in points of view is also important, noting that there is only one female on the Land Trust at this time. A. Clawson stated that more than 50% of Gloucester’s residents are women and there are some who would like to see their gender represented on the Land Trust.

- XV. Seek to Convene to Executive Session - Discussion and/or Action
A. R.I.G.L. 42-46-5(a) 5 Land Acquisition (West Gloc. Elementary property)
B. R.I.G.L. 42-46-5(a) 2 Potential Litigation

MOTION was made by Councilor Sette to ADJOURN to Closed Executive Session pursuant to R.I.G.L. 42-46-5(a) 5 Land Acquisition and 42-46-5(a) 2 Potential Litigation; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

XVI. Reconvene Open Session

MOTION was made by Councilor Burlingame to SEAL the Executive Session minutes; seconded by Councilor G. Steere

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Disclose Votes taken: Two votes were taken in Closed Executive Session.

XVII. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 9:46 p.m.; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the April 4, 2013 Town Council Meeting.

At a Public Hearing of the Town Council holden in and
for the Town of Gloucester on **March 26, 2013**

I. Call to Order

The meeting was called to order at 7:00 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President;
George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Others Present: Jean Fecteau, Town Clerk; Tom Mainville, Finance Director; David
Steere, Patricia Bowie, Joel Wrona, Michael Morgan and Judith
Colaluca, Budget Board members; and Anne Ejnes, Gloucester School
Committee chair.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Public Hearing

A. Budget 2013/2014

Operating & Capital Improvement Budgets

Councilor W. Steere stated that this Public Hearing is to discuss the Operating and Capital
Budget for Fiscal Year 2013/2014.

Councilor W. Steere DECLARED the Public Hearing OPEN.

Pat Bowie, member of the Budget Board, stated that she will be presenting the recommended
2014 Budget in the following manner; beginning with the Capital Budget which appears on Page
22 of the proposal, followed by the Municipal Budget on Pages 1 and 2, the remaining pages
represent the detail to the Budget.

P. Bowie stated that Tom Mainville, Finance Director, will then present the Gloucester School
Budget. P. Bowie respectfully asked that all questions be held until she has completed her
presentation. Before beginning, P. Bowie expressed appreciation to Dave Steere, chair of the
Budget Board, for his dedication and hard work to this process, on behalf of the Budget Board.
P. Bowie commented that we are all fortunate to have Dave as chair of the Budget Board.

P. Bowie stated that the Budget Board recommended Budget for 2014 is \$26,965,349, which is
found on page 2 under the line item for Total Expenditures. P. Bowie stated that the Capital
Reserve Fund, which is a 2% set-aside per Town Charter, is \$492,680 for this Budget.

P. Bowie reviewed the following Capital Budget Expenditures:

Town Hall - P. Bowie stated that there were requests for a file server and phone system in the
amount of \$55,000 that is currently in this year's budget, the vehicle was something that wasn't

proposed, and the Town Hall repairs and improvements are currently ongoing, therefore the subtotal of \$127,500 is now zero.

Police Department - P. Bowie stated that there is a proposal for a Police cruiser in the amount of \$32,000 and the repairs to the Police Safety Complex in the amount of \$11,500 are currently being done at this time.

Public Works Department - P. Bowie stated that there is \$223,000 proposed for road construction, \$100,000 for two sanders, Transfer Station upgrade in the amount of \$141,582, and a roll-off truck at \$166,000, for a subtotal of \$630,582. P. Bowie noted that the last two line items were requested at \$550,000, but the Budget Board funded them at \$307,582 to allow a set aside to begin these projects.

P. Bowie stated that the total Capital Expenditures are \$662,582, the 2% set aside per Town Charter is \$492,680, which leaves an additional transfer from the general fund surplus of \$169,902.

Pat Bowie reviewed the Proposed Municipal Budget which has a subtotal of \$6,626,295. P. Bowie stated that under Education, Gloucester Schools Operations is at \$9,537,111 and Foster-Glocester Region Operations is at \$8,300,652.

Pat Bowie stated that on page 2, the Total Expenditures is proposed at \$26,965,349.

P. Bowie spoke about Revenue, which starts on page 3. P. Bowie stated that the subtotal of Municipal Department Revenue is \$434,500. P. Bowie stated that the Total Revenue is at \$6,127,011. P. Bowie stated that the proposed budget's total expenditures is at \$26,965,349, total revenue is projected to be \$6,127,011, and the amount to be raised by taxes is \$20,652,606. Compared to last year, P. Bowie stated that this is a zero increase.

Pat Bowie asked if there were any questions. Hearing none, P. Bowie turned the meeting over to Tom Mainville to explain the Gloucester School Budget.

Tom Mainville, Finance Director, noted that on page 1 under Salaries, there is an increase of \$46,845, which includes \$27,725 in step increases. T. Mainville stated that there is a new data clerk position at 19 ½ hours per week and a new instructional coach position which is partially offset by the elimination of the consultant for the common core state standard. T. Mainville reviewed other changes in staffing.

T. Mainville again referred to page 1, stating that there is an increase in benefits of \$77,636, the majority of which is a 3.4% increase in medical and a 6.8% increase in pension benefits. T. Mainville noted that the expenses for West Gloucester Elementary School have a decrease of \$19,305, as shown on page 8. T. Mainville stated that Fogarty Memorial School has a net decrease in expenses of \$11,280, as indicated on page 12. Regarding busing, T. Mainville stated that there is a decrease of \$7,319, excluding additional costs for fuel. T. Mainville noted that the additional costs for fuel for busing is decreased by \$8189.

T. Mainville stated that Special Ed costs have been increased by \$40,000, noting that Northwest Special Education administers our program. T. Mainville stated that we have an increase under Building/Grounds in the amount of \$47,000, mostly due to an increase in heating fuel.

T. Mainville referred to page 1, stating that Revenues are decreased by \$117,417, partly due to a reduction in tuition in the amount of \$65,231. T. Mainville explained that this is because students from whom we received tuition have aged out and no longer attend school in Gloucester. Regarding Federal Aid, T. Mainville stated that there is a decrease in Title I and Title II funds in the amount of \$30,620. T. Mainville noted that the expenses associated with those decreases have been moved into the General Fund.

T. Mainville stated that over the next several years, the schools will receive \$80,000 less each year, for ten years, due to the funding formula. T. Mainville explained that the 2013/2014 budget is the third year of the funding formula. T. Mainville stated that the Superintendent and School Committee have been able to not only cope with this problem, but has level-funded the Budget since 2008/2009 and has at the same time increased their fund balance.

T. Mainville stated that the unassigned fund balance stands at \$2.37 million dollars, however the fund balance is a single resource and not a repeating source of revenue. T. Mainville stated that the fund balance will at some point dwindle to zero, perhaps as early as 2016/2017. T. Mainville explained that this is the reason the School Committee is looking for a 4% increase in their appropriation.

Anne Ejnes, School Committee chair, stated that the fund balance could be used for the next several years, but then they would have nothing and would have to come to the taxpayers. A. Ejnes stated that the School Committee and Town Council met last week to discuss ways to deal with this issue. A. Ejnes stated that she does not object to using the fund balance, but wants to use it strategically, not all at once until it is gone.

Councilor Burlingame stated that several scenarios were discussed at the meeting last week and a few questions came up. Councilor Burlingame stated that we need a few more pieces to the puzzle, such as the forecast of the growth of the tax base. A. Ejnes agreed that there are questions which need to be answered. Councilor Burlingame gave the example that when a teacher retires, we know that we will be going from the top step to a lower step, therefore we get the benefit for that year. Councilor Burlingame spoke about the \$2.3 million fund balance, stating that the School Committee could take perhaps \$100,000 a year, beginning with the next budget.

Councilor Reichert asked if it would be kept in a set-aside. T. Mainville replied that there is the option to keep it on the Town side as part of the Maintenance of Effort. A. Ejnes stated that it doesn't matter what side of the budget it is on, as long as there is some planning ahead.

Councilor Sette spoke about the tax levy cap, stating that if we continue to have a zero increase, we will fall further and further behind. Councilor Sette pointed out that even if we have an additional 1% in revenue, it doesn't necessarily mean a tax increase. Councilor Sette stated that

the Council must have a strategy similar to a few years ago when the Town banked money that was saved from the Region to apply to the following year's budget.

Tom Mainville stated that the Tax Assessor estimates growth in the Town at approximately \$72,400. Councilor Sette stated that the economy is beginning to turn around and if there is an increase in Building Permits, it will add to the tax base. Councilor Sette added that if there are several children in each new house, it will add to the Town's expenses. Anne Ejnes pointed out that this would increase the State aid, as the formula is based on the number of students. Councilor Sette stated that there is a combination of factors and we must plan it out to avoid a big hit to the taxpayers.

Dave Steere, Budget Board chair, stated that neither of these budgets as presented have any kind of set-aside to help pay for shortfalls in the future. D. Steere asked if the schools could operate without the 4% increase from the Town. A. Ejnes replied that they would take the money from the fund balance if necessary. A. Ejnes noted that the Committee worked hard over the last several years to save money wherever possible, but the budget they have presented is what the School Committee, Superintendent and principals believe will be needed to run the schools next year.

D. Steere referred to page 2 of the School Budget, stating that when you compare the budgets in the past with what was actually spent, there are some huge differences. D. Steere stated that the actual budget for 2011-12 was \$8,829,900 compared to the Annual Budget of \$9,723,480, for a difference of \$893,000. T. Mainville explained that this was partially due to the Jobs Fund grant not being included, making the actual budget artificially less than it should be. Councilor Burlingame asked if there are off-sets in the budget and if we know what really caused the difference between the budget and the actual with regard to salaries and fringe benefits.

T. Mainville stated that the Jobs Fund grant was in the budget, but we could not show it, due to generally accepted accounting principles. Councilor Sette asked if this was stimulus money. T. Mainville replied in the negative, stating that it was a separate grant. T. Mainville stated that if you look at a financial statement, you will see it as special revenue funds, but it will not show up on the Budget. Councilor Burlingame asked why it couldn't be shown in memo form what the expenses and revenues were and how they offset each other. Councilor Burlingame stated that years ago, if there were hundreds of thousands of dollars spent at the Region, and revenues of hundreds of thousands of dollars from grants, all that was shown was the net, which was not a true statement.

Councilor Sette referred to page 4 where it shows Education Jobs Fund grant at \$136,773 for 2011-12, but it does not appear for this budget. Councilor Sette stated that it has to be at least that amount of money. T. Mainville explained that even though we got the money from the Federal Government, they then took it away by decreasing State aid by that amount.

Anne Ejnes commented that the Total State & Federal Aid was 3.1 million dollars in 2011-12, but the Committee is asking for 2.8 million in this budget, which is \$347,000 less. A. Ejnes stated that less will be taken from Fund Balance than was originally planned because both principals went back and found more cuts.

Regarding State Aid, Dave Steere asked Tom Mainville how he arrived at the projected figure of \$2,668,625. T. Mainville replied that he took the number that we got from the State, with a small difference of between \$30,000 and \$40,000, because he does not trust the State to give us all of the money. D. Steere asked if the negative \$38,000 could be a wash. T. Mainville replied that it could, but we are still losing revenue, and at some point it will hit us hard. D. Steere asked if taxes will be raised to mitigate the losses, or if there are other options.

T. Mainville replied that in order to cover the loss, eight (8) teachers would have to be fired. D. Steere asked what is the School Committee's plan to mitigate the loss, going forward. A. Ejnes replied that they will continue to do the things that they have done, such as look at redistricting again. However, A. Ejnes pointed out that redistricting was done in 2010-11, reducing the teaching staff by 2.8 full-time positions, therefore it will be several years before it can be considered again. A. Ejnes also pointed out that when you lose students, you also lose State Aid due to the funding formula.

Dave Steere suggested the option of bidding out janitorial services, which would eliminate expenses such as pensions, etc. T. Mainville stated that it is his understanding that there is case law that only allows outsourcing if there is a significant adverse financial position, but we could look at the possibility. D. Steere commented that if student enrollment continues to decline, we could close one of the schools several years down the road. T. Mainville stated that the problem is that once you close a school, it is highly unlikely that you could ever open it again. A. Ejnes pointed out that this is not realistic because the students would not all fit into one school.

Dave Steere spoke about mandatory step increases, asking if the percentage is also mandated or if it is determined by the School Committee. A. Ejnes replied that the contract sets the steps and for the last several contracts, raises have only been negotiated for the top step. A. Ejnes stated that the first nine steps have not increased in a long time, but there is a big jump from the ninth to the tenth step. A. Ejnes also pointed out that the last raise given was in exchange for a 20% co-share for health insurance. D. Steere stated that we need to do something other than say "We need more money". A. Ejnes stated that last year there was a subcommittee who brain-stormed different ideas, but noted that staff is the biggest part of the budget. A. Ejnes added that it is difficult to reduce staff because we have a certain number of students which require a certain number of teachers.

Councilor W. Steere asked if anyone had any questions or comments regarding the School Budget. Hearing none, Councilor W. Steere asked if there were any questions regarding the Municipal Budget.

Councilor Sette commented that he is disappointed that the FM Global Phase 2 money is no longer available. Councilor Sette stated that a special restricted account was set up for infrastructure, but the money was never replaced. D. Steere stated that these funds were put into the budget to offset operating expenses. D. Steere commented that this is tax revenue, which in his opinion, should be used to offset operating expenses in the budget. D. Steere stated that if more Capital money is needed, the Charter should be changed from 2% to a higher number. Councilor Sette stated that every time money is moved from the Fund Balance, a structural deficit is created.

Councilor Burlingame asked what was the operating surplus last year. T. Mainville replied that he does not have that information at hand.

The Town Council thanked Dave Steere and the members of the Budget Board for their hard work in preparing this Budget. Councilor Burlingame stated that he particularly likes the cover letter, which explains many points of the budget.

Councilor W. Steere asked if there were any further questions or comments. Hearing none, Councilor W. Steere DECLARED the Public Hearing CLOSED.

V. Open Forum

Linda Nichols, chair of the Community Resource Commission, stated that the budget for the Commission has been reduced from \$3,000 to \$1,000. L. Nichols commented that the Commission has been combined with the Wastewater Advisory Commission and is very valuable to the Town. Due to the increase in their projects, L. Nichols stated that a budget of \$1,000 is too low. L. Nichols read a list of items needed by the Commission, such as a digital recorder and supplies for the garden. L. Nichols noted that the Commission has done a lot for the Town with regard to energy savings and research on hydro-electric and solar power.

Matthew Salisbury, Community Resource Commission member, stated that before asking the Town for funding, the Commission always tries to solicit donations and volunteers from the public. M. Salisbury noted that with the merging of the two boards, their resources are tapped. M. Salisbury stated that the Commission's biggest project is the garden on Route 94. L. Nichols noted that the produce grown on the property is donated to Gloucester's Food Pantry to be distributed to residents. L. Nichols stated that they applied for a grant to purchase a tractor, but were not awarded the grant. Councilor G. Steere offered to help get the garden ready for planting.

Councilor Burlingame asked how much was in their budget last year. L. Nichols replied \$3,000. Councilor Burlingame asked how much they are looking for this year. L. Nichols stated that they would like the same amount. Councilor G. Steere asked if the Commission spent the \$3,000 last year. L. Nichols replied in the negative.

Dave Steere stated that the Budget Board reviewed their first request, which was \$3,000, all for advertising. D. Steere stated that the Budget Board asked the Commission to break down their request and what was returned was the same information as the prior year. D. Steere stated that the Budget Board did not want to fund the same items year after year. D. Steere stated that the Budget Board did go back to see what was actually spent last year. Of the \$1,000 for advertising, none was spent and regarding miscellaneous expenses, \$571 was used. D. Steere explained the reasoning of the Budget Board was that they were not comfortable leaving extra money in the budget when other groups may be getting shortchanged.

Councilor Sette stated that if the Commission has a situation where they need funding for something, the Council has a contingency budget and may be able to help with small items. Councilor Burlingame agreed and stated that based upon what was spent by the Commission, the Council cannot justify \$3,000, but if something happens, the Commission should come to the

Council with a request. Councilor W. Steere commented that one thing working against the Community Resource Commission is that they were too efficient with their funds last year. Councilor Sette stated that the Council will adopt the Proposed Budget at the next meeting, therefore there is time to make changes. However, it was stated that the Public Hearing has been closed.

The Council members expressed their appreciation to L. Nichols, M. Salisbury and the other members of the Community Resource Commission.

VI. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 8:00 p.m.; seconded by Councilor G. Steere.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS:0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the May 2, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **April 4, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President; George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Jean Fecteau, Town Clerk; Tim Kane, Assistant Town Solicitor; Tom Mainville, Finance Director; Joseph DelPrete, Chief of Police; Ray Goff, Town Planner; Gary Treml, Director of Public Works; Anne Ejnes and Walter Steere, Jr., School Committee member; and David Steere, Budget Board chair.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum for Agenda Items

A. Katie Franklin, representing Well One Primary Medical & Dental Care, thanked the Town Council for their continued support and gave assurance that despite the economy, the agency gives the community and town residents unwavering support in providing high quality care.

V. Community Development Block Grant 2013

A. Public Hearing - Discussion and/or Action - Discussion and/or Action
(2nd of 2 hearings)

Councilor W. Steere stated that this Public Hearing was advertised in the Valley Breeze/Observer on March 28, 2013. Councilor W. Steere stated this is the second and last public hearing on the application for 2013 as required by law. Council has received the application and it has been made available for public viewing.

Councilor W. Steere DECLARED the Public Hearing OPEN and asked if anyone wished to be heard.

1. Ryan McNeil, attorney for the Rhode Island Center for Law and Public Policy, explained that they are a non-profit law firm with 501(c)3 status. R. McNeil noted that the IRS has a very stringent process to comply with to attain such status. R. McNeil stated that his firm represents low income residents, generally pro-bono, through grant money such as CDBG. R. McNeil stated that the services provided are largely estate planning and debt collection relief. R. McNeil stated that Burrillville is considering partially funding this in Gloucester at the Senior Center.

Councilor Sette asked if the clients are mostly 60 and over. R. McNeil replied that they serve all ages, but they have programs at nine senior centers, therefore the majority of their clients are over 60.

Councilor G. Steere asked if a clinic is set up once per month. R. McNeil replied in the affirmative, adding that all that is needed is a small room at the Senior Center which would preserve attorney-client confidentiality. R. McNeil stated that a free consultation is given to anyone who shows up and meets the financial requirements. Those who are over the threshold are referred to another attorney.

R. McNeil stated that if the demand is there, the program would be expanded to every other week. Councilor Reichert asked what would happen if somebody does not qualify for the legal service but wishes to retain Mr. McNeil. R. McNeil replied that he would be unable to represent the client because doing so would jeopardize his employment.

2. Walter Steere, Jr., stated that at the first Public Hearing, he had requested the tax records of mobile home owners. Councilor Burlingame stated that when he and the Tax Collector went to testify, 42% of mobile home owners were behind on their taxes. Councilor Burlingame agreed that we should have a list of these mobile home owners. Councilor G. Steere stated that he has spoken to the Tax Assessor and does not think that there are many that are delinquent.
3. Ray Goff, Town Planner, spoke about Item #5, Program Administration, stating that we can apply for Program Administration Funding which would give us a baseline of funding. R. Goff stated that it would be a good idea since the Program is in transition at this time. Councilor W. Steere asked about the status of the state audit of the Western RI Home Repair Program. Tim Kane, Assistant Town Solicitor, stated that we are very close to having a plan approved. R. Goff stated that these are two separate issues and we are still eligible for CDBG funding, regardless of the outcome of the audit.

Councilor W. Steere read the Planning Board opinion on consistency with the Comp Plan for the funds requested:

MOTION was made by Chairman Charette to forward a positive recommendation to the Gloucester Town Council for the Community Development Block Grant application, dated March 24, 2013, submitted by Raymond Goff, Town Planner, for the Town of Gloucester CDBG Program.

The application includes: Housing Programs for the Western Rhode Island Home Repair Programs (Housing Rehabilitation and Mobile Home Replacement Program), Public Service Programs (Gloucester Food Pantry), and Planning Activities (Community Housing Land Trust and Rhode Island Center for Law and Public Policy).

The application, as submitted, is found to be consistent with the Comprehensive Community Plan.

MOTION was seconded by Member Gross.

DISCUSSION: None

VOTE: Ayes - Unanimous

(end of motion)

Councilor W. Steere asked if anyone else wished to speak for or against the proposed application for the Community Development Block Grant 2013. Hearing none, Councilor W. Steere DECLARED the Public Hearing Closed.

Discussion: None.

B. Authorization: Final Application & prioritization - Discussion and/or Action

MOTION was made by Councilor Sette to Authorize the Town Council President to sign the CDBG 2013 application, DUNS # 784023012, as presented with the funding requests prioritized as follows:

Housing Rehabilitation & Mobile Home Replacement	\$ 182,750.00
Food Pantry	4,000.00
Community Housing Land Trust	1,250.00
Rhode Island Center for Law and Public Policy	2,000.00
Program Administration	10,000.00
Total	\$ 200,000.00

seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VI. Consent Item - Discussion and/or Action

A. Town Council Minutes - February 6th, 26th, March 7, & 21st, 2013

MOTION was made by Councilor Reichert to ADOPT the Town Council minutes of February 6th, March 7th & March 21st, 2013, and to TABLE the minutes of February 26th, 2013; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VII. Unfinished Business

A. Boards and Commissions

1. Appointments - Discussion and/or Action

a. Community Resource Commission -

1. One Alternate one year term

MOTION was made by Councilor G. Steere to TABLE the appointment to the Community Resource Commission for one alternate one year term; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

b. Local Board of Appeals for Building Code

1. One five year term to expire 6/2015

MOTION was made by Councilor Reichert to TABLE the appointment to the Local Board of Appeals for Building Code for one - 5 year term to expire 6/2015; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Appointments

1. Tree Warden- Discussion and/or Action

Councilor W. Steere stated that the Clerk is waiting to receive the list of licensed arborists that reside in Town and will forward to Council when received.

MOTION was made by Councilor Sette to TABLE the appointment of a Tree Warden for 2013; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Watershed Communities Advisory Committee - Discussion and/or Action
(Requested by Providence Water Supply Board)

Ray Goff, Town Planner, stated that he spoke to Rich Blodgett of the Providence Water Supply Board and was told that the Board is trying to initiate dialogue among the communities which border the Scituate Watershed. R. Goff stated that the time commitment would be minimal. MOTION was made by Councilor Sette to send a letter to the chair of the Conservation Commission asking for a volunteer to serve on the Watershed Communities Advisory Committee; seconded by Councilor Reichert.

Discussion: Roy Najecki, Conservation Commission chair, was present and volunteered to serve on the Advisory Committee.

Councilor Sette WITHDREW his motion and made a MOTION to appoint Roy Najecki to the Watershed Communities Advisory Committee; seconded by Councilor Reichert.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. Proposed Use of Kent Property - Discussion and/or Action

1. Update & Action (if necessary)
2. Adopt charge for Committee

Councilor W. Steere stated that Councilor G. Steere and Jean Fecteau, Town Clerk, have been working on a charge for the Kent Property Oversight Committee. George Charette provided an update regarding the site testing performed by Norbert Therrien. G. Charette noted that there has been no further activity.

Councilor W. Steere stated that he received the proposed charge this morning and has not had the opportunity to review it, therefore he is not ready to approve it tonight. Councilor W. Steere suggested having discussion tonight and acting on it at the next meeting. Councilor Sette stated that the proposed charge is simple and concise and would be easy for the committee to follow.

Councilor Burlingame expressed agreement. Councilor Reichert asked what is the smallest structure that could be built on the property. Tim Kane, Assistant Town Solicitor, replied that it must be an administrative building large enough to accommodate a desk and chair. Councilor W. Steere stated that another option would be to relocate the schoolhouse currently located behind the Town Hall.

G. Charette stated that he and the people he is working with had considered a building measuring 20 feet by 30 feet which includes a restroom. G. Charette stated that heat, water and electricity would be needed. Councilor W. Steere commented that this would be costly, adding that a committee has not even been appointed yet. Councilor Sette stated that the first step is to adopt the charge and appoint the committee.

MOTION was made by Councilor Sette to ADOPT the Charge for the Kent Property Oversight Committee; seconded by Councilor Burlingame.

Discussion: Councilor Sette noted that the committee will be comprised of seven (7) members.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

3. Appoint Committee members

MOTION was made by Councilor Burlingame to APPOINT George Charette, Charlie Wilson, Edna Kent, Ray Goff, Carl Riccio(ex-officio member), Doug Folcarelli and Mike DeGrange to the Kent Property Oversight Committee; seconded by Councilor G. Steere.

Discussion: There was discussion regarding Carl Riccio, who is a Town employee but is not a resident of Gloucester. Tim Kane, Assistant Town Solicitor, stated that this is an ad-hoc committee on which a non-resident may serve in an ex-officio capacity.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

D. Transfer of Funds Request

1. Land Trust reimbursement update (Hawkins Property) - Discussion and/or Action

Councilor W. Steere stated that the Land Trust approved the reimbursement at their last meeting, however the minutes are not yet approved.

MOTION was made by Councilor Burlingame to TABLE the Transfer of Funds Request until the next Town Council meeting; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. DPW: Hawkins Pond Project reimbursements to Public Works FA (Road Construction) Account - Discussion and/or Action

Councilor W. Steere stated that this also must be tabled until the Land Trust minutes are approved.

MOTION was made by Councilor Sette to TABLE the reimbursement to the Public Works FA (Road Construction) Account; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VIII. New Business

A. Adopt Budget FY 2013/2014 - Discussion and/or Action

Councilor W. Steere stated that the budget for fiscal year 2013/2014 was heard at Public Hearing on March 25, 2013.

Discussion: Tom Mainville, Finance Director, stated that there are updated copies of the proposed budget available for review. T. Mainville stated that the bottom line remains the same, but the distribution regarding Gloucester Schools has changed. T. Mainville stated that the amount in the requested column for Operations is \$9,674,400 which, when compared to last year, is an increase of \$137,289.

However, T. Mainville noted that there is an offset on the Revenue side, where the Revenue would go to \$3,302,365, representing a corresponding decrease of the same number. Therefore, the net amount on this Budget is zero. T. Mainville noted that this change was made because it affects the 2% set-aside. T. Mainville stated that the only other change is \$1,000 added for the Gloucester Light Infantry's Memorial Day Parade.

Councilor Sette stated that he had asked T. Mainville what is the anticipated increase in the overall levy and was told it is approximately \$89,000. Councilor Sette stated that the Council has discussed with the School Department potential shortfalls in funding in the future and proposed that we go to ½% on the cap, which would be about \$100,000. Councilor Sette stated that he believes that this could still be a level-funded budget, or at the most represent a 1 cent increase. Councilor Sette stated that these funds could go into a restricted account for future State aid shortfalls.

Councilor Burlingame agreed in principle, but questioned if this is the year to do this, adding that the School Department has a 2.3 million dollar surplus because they have taken action to reduce costs. Councilor Burlingame expressed concern that if we increase the appropriation by \$80,000 to \$100,000, how will this message resonate? Councilor Sette stated that is why he suggested ½%, because it will have no impact on the taxpayer. Councilor Sette further stated that this money would be restricted until the lines start to converge.

Councilor Burlingame expressed concern that we may be on the path of a structural deficit due to increasing costs and decreasing revenues.

Anne Ejnes, School Committee member, stated that the School Department has worked very hard to be fiscally responsible, but there are items that they cannot control. A. Ejnes explained that this year there is a \$100,000 swing in terms of Special Ed tuition. A. Ejnes stated that she would appreciate the Council considering putting funds aside to avoid ending up where some other towns have.

Councilor W. Steere stated that he tends to agree with Councilor Sette that if we are going to do something, we need to start now. Councilor W. Steere stated that we know this is coming and we should be proactive. Councilor W. Steere stated that we created a structural deficit in the last budget by taking money out of FM Global to lower taxes. Councilor Burlingame disagreed.

Councilor G. Steere stated that he agrees with the concept, but not the amount. Councilor G. Steere stated that he feels that \$75,000 to \$80,000 is more realistic. Councilor Burlingame stated that he would go along with \$80,000. Councilor Sette stated that if we do not do this, we will fall two years behind. Councilor Sette added that ½% will not affect taxes, but will help fund a problem that we know is coming. Councilor Sette further stated that the funds will be held in a reserved account which cannot be used for anything else. Councilor W. Steere stressed the importance of presenting this in plain terms to the taxpayers at the Financial Town Meeting as they will be making the final decision.

Councilor G. Steere stated that it would be easier to justify an increase of \$80,000 because it would cover the amount that the State is taking away. Councilor G. Steere urged Anne Ejnes to continue with long-range planning.

After further discussion regarding the amount of the increase, there was Council consensus to set the amount at \$90,000. It was also stated that a separate vote must be taken at the Financial Town Meeting to put these funds in a restricted account.

MOTION was made by Councilor Sette to increase the levy by \$90,000 and to have a separate vote at the Financial Town Meeting to place the funds in a restricted reserve account; seconded by Councilor Burlingame.

Discussion: Tom Mainville, Finance Director, stated that he will recalculate the budget figures after the Capital Budget is discussed.

Councilor Sette WITHDREW his motion and Councilor Burlingame WITHDREW his second.

Councilor W. Steere asked if anyone had any questions regarding the Proposed Capital Improvement Budget. Councilor Reichert asked Gary Treml, Public Works Director, if the item "Transfer Station Upgrade" is to construct a new building. G. Treml replied in the affirmative. Regarding Road Construction, Councilor W. Steere asked if we have an estimate of the status of the paving account at this time.

Dave Steere, Budget Board chair, replied that as of March 12, 2013, there was \$386,245 in the Road Construction account. With the proposed addition of \$223,000, there will be approximately

\$600,000 available for paving through the end of next year. D. Steere commented that the reason the Light Infantry was not included in the budget is because they did not submit a request.

Councilor W. Steere questioned the two sanders which are proposed. G. Treml stated that the sanders are similar to what we have now and will be for the Peterbilt truck and the new truck which was recently purchased at auction. Councilor Reichert asked if the roll-off truck will be new. G. Treml explained that he does not have enough to purchase a new truck, therefore he plans to put these funds aside until next year. Councilor G. Steere asked if G. Treml will be able to get by until then. G. Treml replied in the affirmative.

MOTION was made by Councilor Sette to hold this item in abeyance until the Finance Director returns with updated budget figures; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

MOTION was made by Councilor Sette to ADOPT the Proposed Operating Budget, including debt service, in the amount of \$27,193,638 for Fiscal Year 2013-14 for presentation at the Town Financial Meeting on May 4, 2013; seconded by Councilor Reichert.

Discussion: There was discussion regarding the \$90,000 which was to be added to the budget.

Councilor Sette WITHDREW his motion and Councilor Reichert WITHDREW his second.

MOTION was made by Councilor Sette to ADOPT the Proposed Operating Budget for Fiscal Year 2013-14 in the amount of \$27,193,638, including debt service and a \$90,000 reserve for the loss in State Aid to Gloucester Schools due to the State Funding Formula; seconded by Councilor Burlingame.

Discussion: There was discussion regarding the Additional Transfer from Surplus to Capital. Councilor Sette WITHDREW his motion and Councilor Burlingame WITHDREW his second.

MOTION was made by Councilor Sette to ADOPT the Proposed Operating Budget for Fiscal Year 2013-14 in the amount of \$27,193,638, which is inclusive of debt service for schools, inclusive of a \$90,000 reserve for the loss in State Aid to Gloucester Schools due to the State Funding Formula, and an additional transfer from surplus to capital in the amount of \$165,426; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

MOTION was made by Councilor Sette to ADOPT the Proposed Capital Improvement Budget in the amount of \$662,582 for Fiscal Year 2013/14 for presentation at the Town Financial Meeting on May 4, 2013; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Factory Mutual Infrastructure Account - Discussion and/or Action

Councilor Sette stated that this account was established by a previous Town Council as a unanimous bipartisan effort to put the Town in a good position to maintain our infrastructure. Councilor Sette stated that this account would allow us to take care of the roads in Town without having to have a bond issue from the taxpayers. Councilor Sette explained that in 2008, Factory Mutual, our largest taxpayer, began a 40 million dollar project at their research facility and entered into a PILOT agreement with the Town. Councilor Sette stated that this would have generated a total of 6 million dollars over a 13-year period.

Councilor Sette read from the motion as follows: "The Town shall establish a restricted receipt fund in which said payment of Phase 2 of the PILOT agreement for the express purpose and use limited to the Town infrastructure improvements. The Council hereby directs the Treasurer to establish said restricted fund in accordance with this Resolution." Councilor Sette stated that it is clear that the Council established a restricted receipt account. Councilor Sette stated that the first year, there was a transfer to Capital in the amount of \$195,973, with the balance of \$239,000 remaining in the restricted account.

Councilor Sette stated that in March of 2010, the account was no longer there and had become part of the General Fund to offset the shortfall in excise tax. Councilor Sette stated that the Town had decided to fund the deficit instead of taking the \$500 motor vehicle tax exemption as many other towns did. Councilor Sette pointed out that there was no motion by the Council to move the funds. Councilor Sette further stated that once something is put in the budget, it remains there in subsequent years unless it is cut.

Councilor Sette stated that we may say that we never tax the taxpayers, however money was taken from other places, which did in fact affect the taxpayers. Councilor Sette stated that the Council made a decision tonight to do some prudent future planning and he is glad that the funds will be in a restricted account which will prevent a money grab from a future Council. Councilor Sette expressed his opinion that it was a bad idea to take the money from the Infrastructure Account and stated that many road projects could have been funded, but now that opportunity is no longer there.

Dave Steere, Budget Board chair, commented that the PILOT program was initially intended to offset operating expenses. D. Steere stated that this has helped keep taxes reasonable. D. Steere further stated that there is already money set aside in the budget for Capital Improvements.

Regarding road repair, D. Steere stated that this will be a continuing effort. D. Steere expressed his opinion that the FM Global money is tax dollars that should go toward the operating expenses.

Councilor Sette stated that if we have an account where we can plan out projects, it would be easier to take advantage of pricing situations. Councilor Sette gave the example of a water line in the center of Town, stating that if we had money in an infrastructure account, we may have been able to accomplish this without getting a loan. D. Steere stated that we never would have saved enough money for the water line.

Councilor Sette stated that some other communities cut their budgets to make up for the loss of State aid. D. Steere asked where our budget could be cut, stating that both the Region and the Gloucester Schools are level-funded. D. Steere stated that if the Town budget is cut, there would have to be employee layoffs. Councilor Sette stated that one of the reasons the Council restricted the money was so that the Region would not get it.

Councilor Reichert stated that if we set aside the \$90,000 for the next three years, what would stop a future Council from going after it? Councilor Sette stated that it was a mistake to use the restricted funds and gave credit to the Town Clerk for challenging it at the time. Councilor G. Steere stated that he was on the Council and it was a tough decision to make; the only alternative was to raise taxes. Councilor Sette stated that this was the time to get the School budgets under control.

Councilor G. Steere asked how we could have gotten the Region's budget under control. Councilor Sette stated that it is "water under the bridge." Councilor W. Steere stated that last year, we lowered the levy by taking an extra \$200,000, thereby creating a structural deficit. Councilor W. Steere stated that this will make it more difficult to catch up. Councilor W. Steere stated that he believes that the \$200,000 came from FM Global. Councilor Burlingame disagreed, stating that it was transferred from surplus. Councilor G. Steere stated that another \$250,000 was put into roads also. Councilor W. Steere stated that the roads needed to be fixed, but these funds were not protected.

C. Community Resource Commission: Request to use Senior Center - Discussion and/or Action

Councilor W. Steere explained that the Council has received a request from Linda Nichols, chair of the Community Resource Commission. Councilor W. Steere stated the Board would like to host National Grid in an energy saving lighting fair and hold it at the Senior Center. Councilor W. Steere stated the Town Clerk would like Council to decide on this use of building as it is a for profit organization.

Discussion: Linda Nichols, Community Resource chair, explained that National Grid conducts Lighting Fairs to educate the public regarding ways to save energy. L. Nichols stated that National Grid sells their products at the fair but will also donate some which we could give as an incentive for people to volunteer at the garden on Route 94. L. Nichols stated that the fair is scheduled for May 25th from 10:00 a.m. to 1:00 p.m. Jean Fecteau, Town Clerk, stated that the

request form has been submitted and since the event is after hours, she or one of the Councilors would be the sponsor. J. Fecteau noted that she wanted the Council's approval for this event as National Grid is a for-profit organization. There was Council consensus to approve the request to use the Senior Center.

D. Boards & Commissions

1. Resignations - Discussion and/or Action

a. Land Trust - One 5 year term to expire 2/2016

Councilor W. Steere stated that the Clerk has received and filed the resignation of Henry Gold from the Land Trust.

MOTION was made by Councilor Sette to ACCEPT, with regret, the resignation of Henry Gold from the Land Trust for the five year term to expire 2/2016; seconded by Councilor G. Steere.

Discussion: Councilor W. Steere expressed appreciation to Henry Gold for his service on the Land Trust as well as the Community Resource Commission.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

b. Community Resource Commission - Two positions for 2 year terms to expire 1/2015 (concurrent with TC)

Councilor W. Steere stated that the Clerk has received and filed the resignations of Pete Skeffington and Henry Gold from the Community Resource Commission.

MOTION was made by Councilor Reichert to ACCEPT, with regret, the resignations of Pete Skeffington and Henry Gold from the Community Resource Commission for 2 year terms to expire 1/2015; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Appointments - Discussion and/or Action

a. Land Trust-One 5 year term to expire 2/2016

MOTION was made by Councilor Sette to APPOINT Steven St. Pierre to the Land Trust for one 5 year term to expire 2/2016; seconded by Councilor Reichert.

Discussion: Councilor Sette stated that candidates were interviewed at the last meeting and Steve St. Pierre is the kind of person we would want as a trustee.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

- b. Community Resource Commission
Two positions - Two positions for 2 year terms to expire 1/2015 (concurrent with TC)

MOTION was made by Councilor G. Steere to APPOINT Lauri Archambault to the Community Resource Commission for a 2- year term to expire 1/2015; seconded by Councilor Reichert.

Discussion: It was stated that Lauri Archambault will be moved from the Alternate position to a regular position.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

MOTION was made by Councilor Reichert to TABLE the remaining 2-year term to expire 1/2015; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

- c. Conservation Commission
One Alternate one year term to expire 2/2014

Roy Najecki, member of the Conservation Commission, stated that talent bank applications will be made available at the tree giveaway scheduled for May 4th. R. Najecki asked the Council to table the appointment until that time.

MOTION was made by Councilor G. Steere to TABLE the appointment to the Conservation Commission for one Alternate one year term to expire 2/2014; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES
NAYS
MOTION PASSED/FAILED

E. Geothermal Contract Town of Gloucester & Cold Masters - Discussion and/or Action

Councilor W. Steere stated that the Council has received a recommendation from the Planner to enter into an agreement with Cold Masters to continue work on the geothermal system in the Town Hall.

Discussion: None.

MOTION was made by Councilor Burlingame to AUTHORIZE Cold Masters to provide geothermal work at the Gloucester Town Hall, at a cost not to exceed \$11,500; seconded by Councilor Reichert.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

IX. Department Head Report/Discussion Bds. & Commissions - Discussion

- A. Tom Mainville, Finance Director, stated that it has come to his attention that the Council was unaware that there is new work being done at FM Global. T. Mainville stated that the Town Solicitor and Tax Assessor have been in discussion with FM Global regarding an addendum to the current PILOT agreement. T. Mainville apologized for failing to inform the Council, adding that the lack of communication was unintentional.

Councilor Sette suggested scheduling an Executive Session because this pertains to contract negotiation. Tim Kane, Assistant Town Solicitor, pointed out that it is not collective bargaining and does not involve the investment of public funds. T. Kane stated that the matter must be discussed in public by the Council as a group. Councilor Reichert stated that he and Councilor Burlingame will take over and bring the Council up to speed. Councilor W. Steere stated that all activity must stop until Councilors Reichert and Burlingame are updated, adding that lack of communication is a problem.

- B. Linda Nichols, Community Resource Commission chair, stated that the Commission met with staff members from Senator Whitehouse's office to discuss grants for turbines. L. Nichols spoke regarding House Bill H-5803 which, if passed by the Senate, will be good for the Town. Councilor W. Steere thanked L. Nichols for her update.
- C. Councilor Reichert asked Tom Mainville if he knows the total cost of the FM Global project. T. Mainville replied in the negative. Councilor Reichert stated that several years ago, the Town received a huge fee for reviewing FM Global's plans. T. Mainville stated that he recalls that the Building Official did all of the inspections at the site and a part-time inspector was hired to cover the rest of the Town during the project. T. Mainville noted that there was a significant positive variance between what we spent and what we took in. T. Mainville stated that this is not a huge project.

X. Council Correspondence/Discussion

- A. Councilor W. Steere stated that a notice was sent by the Town Clerk to the Clerks' and the Dispatchers' Unions acknowledging their request to begin negotiations.
- B. Councilor W. Steere stated that the Kent Property site evaluation was received from George Charette.
- C. Councilor W. Steere stated that a claim was received regarding damage to fence during a snowstorm. Gary Treml, Director of Public Works, reported that the claim was denied because the fence was located at the very edge of the road.
- D. Councilor W. Steere stated that a letter was received from the State Traffic Commission regarding Chief DelPrete's request for a 25 MPH zone on Snake Hill Road.
- E. Councilor W. Steere stated that several letters were received from Charlestown asking for support of resolutions.
- F. Councilor W. Steere stated that he has received complaints regarding Winsor Field. Councilor W. Steere stated that the Council had allowed somebody to put in a right-of-way to the rear of their property, adding that it is now full of mud and overturned stumps. Councilor W. Steere further stated that it appears that land has been disturbed within 25 feet of a cemetery. Tim Kane, Assistant Town Solicitor, stated that he and the Building Official will look into the matter.
- G. Councilor W. Steere stated that he has received many complaints regarding the cancellation of the Easter Egg Hunt at Steere Hill. Councilor W. Steere stated that he is waiting for the minutes of the Land Trust meeting to determine why the event was denied.

XI. Open Forum

- A. Russell Gross spoke regarding the FM Global matter, stating that it does not make sense to take the Finance Director and Tax Assessor away from their daily duties and to retain an attorney to spend time on this. Councilor W. Steere stated that he only learned of the situation yesterday.
- B. Allen Clawson read a statement regarding the Land Trust's decision to cancel the Easter Egg Hunt. A. Clawson stated that of greater consequence was a related vote taken by the Land Trust at the same meeting. A. Clawson stated that the Board decided by a majority vote of 4 to 2 to indefinitely suspend all advertised group activities on Land Trust properties, regardless of whether the sponsor of the event was the GLT or an outside organization.

A. Clawson expressed his opinion that the position of the Land Trust regarding liability risk is extreme and out of step with that of other municipal land trusts. A. Clawson distributed packets of information from other cities and towns. A. Clawson further stated that the Land Trust's position is at odds with Rhode Island Public Law citing

R.I.G.L. 32-6-3 regarding liability. A. Clawson stated that the Rhode Island Attorney General's Office has agreed to provide a legal opinion to the Town and the Land Trust within a few days.

A. Clawson asked the Town Council to request that the Land Trust rescind its vote until such time as it can demonstrate just cause for adopting such a strong policy.

A. Clawson also asked for the Town Solicitor's opinion on the legal standing of votes taken at the Land Trust meeting of March 27th, in view of the conflict which prohibits Stephen Mitchell from serving on the Land Trust, as he is currently an elected official.

A. Clawson quoted Chapter 95 of the Gloucester Code of Ordinances and the Rhode Island Public Laws Chapter 548.

Tim Kane, Assistant Town Solicitor, stated that this issue has been brought up and if something needs to be corrected, it will be corrected.

Councilor Sette stated that a legal issue has been raised and all further discussion must now go through the Solicitor. Councilor Burlingame pointed out that the Land Trust is a separate group and there must be a consensus of the Council to direct the Solicitor to become involved in the matter. The other councilors agreed.

Jean Fecteau, Town Clerk, noted that she received a resignation today from Stephen Mitchell as Town Moderator.

- C. Lili Feinstein addressed the Town Council regarding the Land Trust and the cancellation of the Easter Egg Hunt. L. Feinstein stated that although she serves on the Board of Directors of the Friends of the Land Trust, she is speaking tonight as a private citizen. L. Feinstein stated that a small group of volunteers stood in the Steere Hill parking lot handing out apologies and Easter eggs to over a dozen disappointed families. L. Feinstein stated that the people were told that the event was cancelled by the Land Trust. L. Feinstein asked what kind of organization would cancel an event for little children.

L. Feinstein stated that she cannot speak for the other members of the Friends, but she feels that the new Board of Trustees of the Land Trust is not interested in upholding the mission of the Land Trust, which is to allow the public to enjoy the public land made possible by their tax dollars. L. Feinstein further stated that the current Land Trust is in conflict with the very laws that established it as well as the Town's Comprehensive Community Plan. L. Feinstein asked Tim Kane, Assistant Town Solicitor, for assistance regarding what action should be taken. L. Feinstein stated that she does not hold the Land Trust 100% accountable for their actions, adding that the recent appointments to the Land Trust were made by the Town Council.

- D. Rose LaVoie stated that she does not know who is responsible for the cancellation of the Easter Egg Hunt, but feels that somebody should be accountable.

R. LaVoie congratulated Roy Najecki for volunteering to serve on the Watershed Community Advisory Committee. R. LaVoie noted that this is an example that somebody can serve on more than one board and bring their expertise and knowledge to each.

R. LaVoie complimented the Gloucester Manton Library for their program of showing movies on Tuesday afternoons.

R. LaVoie stated that many people are struggling financially and anyone who works for a municipality and receives benefits should be grateful. R. LaVoie spoke about the budget, stating that the FM Global money should go into the coffers to spare the taxpayers.

Rose LaVoie expressed appreciation to the business community for their generosity and encouraged everybody to do whatever they can to help them. Councilor W. Steere concurred, stating that he was involved in an event recently and the businesses in Town were extremely supportive.

- E. Tom Sanzi suggested that the Kent Property be used for a Welcome Center or extra parking for the businesses in Town. Councilor Reichert stated that a committee has been appointed to discuss the options for use of the property and recommended that T. Sanzi attend their meetings.
- F. Marie Sweet spoke regarding the protection of stone walls. M. Sweet stated that she has put together a packet of information and will forward copies to the Council.
- G. Mark Karmozyn, Land Trust member, addressed the issue of the Easter Egg Hunt. M. Karmozyn stated that the Friends of the Land Trust were instructed not to put anything on the Land Trust signs with out the consent of the Land Trust. M. Karmozyn stated that the Friends put up posters regarding the Easter Egg Hunt, of which the Land Trust was not aware. M. Karmozyn expressed his opinion that there is a conflict of interest issue. M. Karmozyn stated that he spent hours on the phone with the Trust regarding insurance issues. M. Karmozyn stated that he was informed that the Friends did not have insurance, so he attempted to get what is called a TULIP policy to cover this event.

The insurance company was unsure if they could write a policy for an outside space, stating that they only deal with the inside of buildings. M. Karmozyn noted that the Land Trust had not yet met to discuss this matter nor had they spoken to their attorney. M. Karmozyn stated that they were looking out for the best interests of the Town with regard to liability. M. Karmozyn stated that the Friends took it upon themselves to advertise the Easter Egg Hunt even though it is not their land. M. Karmozyn commented that the Land Trust has just recently gotten together, with their final member appointed tonight, and as soon as they figure things out, there will be plenty of events.

Councilor W. Steere asked what problems occurred which prompted the cancellation. Councilor W. Steere pointed out that M. Karmozyn, Russell Gross and Roy Najecki were present at the last Town Council meeting, at which the event was mentioned. M. Karmozyn stated that R. Najecki advertised the event on his own and announced it at the Town Council meeting, which he had no right to do. M. Karmozyn stated that he questioned R. Najecki at the Land Trust meeting and recommended that Councilor W. Steere check the minutes. Councilor W. Steere stated that he has not received the minutes and has requested a copy of the recording, but has not received it yet.

Councilor W. Steere asked if the Land Trust has gotten a ruling in writing from the Trust regarding liability concerns. Councilor W. Steere stated that the Land Trust has two million dollars of insurance. M. Karmozyn commented that this was not a Land Trust event. Councilor W. Steere stated that if a Land Trust member had hosted the event, that would have taken care of it. M. Karmozyn stated that he does not know if this is the case.

Councilor W. Steere noted that there are people with guns on the property during hunting season, so why are we worrying about this event. M. Karmozyn stated that they do not have a management plan so they do not know what is allowed. Councilor W. Steere stated that it is sad that the people who get hurt are those who live in Town who paid for the property. Councilor W. Steere stated that he would have asked the Trust how many claims have been filed in the past 27 years and he would have gotten their decision in writing. M. Karmozyn stated that the Trust had found problems at Steere Hill during a previous inspection and suggested an alternate site.

Councilor Sette respectfully asked if the Council could end this conversation, stating that we have already asked the Solicitor to get together with the Land Trust to discuss these issues. M. Karmozyn stated that people came here to make accusations and he would like to respond. Councilor Sette stated that Land Trust issues are consuming too much time and at some point it has to stop. Councilor Sette commented that in his previous years on the Town Council, there were very few, but now it is on the agenda for every meeting.

Councilor Burlingame stated that Smithfield had similar issues and redid the legislation, making the Land Trust a department of the Town. Councilor W. Steere stated that it has to do with the complexion of the Board, which falls back on the Council. Councilor Sette stated that the Council created the problem and can correct the problem by having the discussion which needs to take place.

- H. Anne Ejnes, School Committee member, thanked the Town Council for working with the School Committee to plan for the future of the schools.
- I. Edna Kent, Town Historian, stated that the Historical Cemetery Advisory Commission is scheduled to meet on May 17th at 7:00 p.m. at the Gloucester Heritage Society headquarters. E. Kent spoke about the stone wall issue, stating that some of the walls around the cemeteries have damage.

- J. Walter Steere, Jr., School Committee member, stated that the position of Town Moderator, which is important at the Town Financial Meeting, is presently vacant. Tim Kane, Assistant Town Solicitor, stated that the Town Council will appoint a replacement at their next meeting.
- K. Rose LaVoie asked who serves on the Land Trust. It was stated that a list of members can be obtained in the Clerk's Office.
- L. George Charette commented that as residents and taxpayers of the Town, everybody has the right to walk the property of the Town Hall because it has insurance. However, this does not give them permission to set up an event, such as a farmer's market, on the Town Hall front lawn unless it is approved by the Town Council, at that point, the Town's insurance provider would be contacted to determine if an insurance rider would be necessary. G. Charette spoke about the Land Trust and the Friends of the Land Trust, stating that they are out of synch with each other.
- G. Charette stated that the Town Council appointed several new members to the Land Trust because some members resigned. G. Charette commented that there is a lack of procedure and both groups are at fault. G. Charette stated that the Land Trust is recognized publicly by the State and wonders if the Friends of the Land Trust are recognized the same way. G. Charette stated that he has served on the Land Trust for several months and some of the people in the room tonight have never attended a Land Trust meeting. G. Charette stated that the Land Trust did not want to stop the Easter Egg Hunt but had a reason for doing so. G. Charette stated that the Land Trust will approve events which are brought before them, but noted that the events should not be advertised until that time.
- M. Elaine Fontaine, president of the Friends of the Land Trust, stated that they wish to be friends, not enemies. E. Fontaine stated that they are a group of volunteers who would like to share joint activities and have never engaged in independent activities. E. Fontaine stated that they are supportive of the Town and Schools.
- N. Mike DeGrange spoke about insurance for different types of events.
- O. Lili Feinstein stated that the Friends of the Land Trust has insurance and if they had been notified in advance, they could have arranged to get event insurance. L. Feinstein cited the Rhode Island Recreational Use Statute and mentioned that there are Land Trust Trustees who are involved with recreation who seem to know nothing about this statute.

XII. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 10:12 p.m.; seconded by Councilor G. Steere.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the May 2, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **April 11, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President; George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Jean Fecteau, Town Clerk; Tim Kane, Assistant Town Solicitor; Susan Harris, Deputy Town Clerk; and Joseph DelPrete, Chief of Police

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum for Agenda Items

None.

V. Public Hearing

Councilor W. Steere stated that this Public Hearing was advertised in the Valley Breeze/ObsERVER on March 28, 2013 and abutters notices were sent. Councilor W. Steere DECLARED the Public Hearing OPEN and stated that the Council will address each establishment individually.

A. Special Event License Request - Licensing Board

1. Robert Zalewski, RMZ, LLC
d/b/a Snows Clambox
2461 Putnam Pike, Gloucester, RI

Councilor W. Steere read the following request from Snow's Clambox:

April 28th - Car Show
May 26th - Motorcycle Event
June 23rd - Car Show
August 11th - Car Show

To include "light" entertainment on patio. If use of the patio is not allowed, then recorded music or live band is requested. We would like to have light entertainment/acoustic music on our side patio. We would like to have this option available Saturdays & Sundays and also on holidays from 12:00 - 7:00 p.m. this request is for during our outdoor patio season.
(End of request)

Robert Zalewski, applicant, stated that he is not requesting any entertainment in conjunction with the shows planned. R. Zalewski explained that the shows and entertainment are separate requests. R. Zalewski stated that the car shows would be the same type that were held last year. Councilor Sette asked the applicant to describe the motorcycle show requested. R. Zalewski replied that it would be similar to the car shows.

Councilor W. Steere asked if anybody wished to be heard regarding the application by Snow's Clambox.

Joseph DelPrete, Chief of Police, asked what type of clientele would be expected to attend the motorcycle show. R. Zalewski replied just the average customers they currently have. Chief DelPrete recommended that a Police detail be present at the car and motorcycle shows to handle parking and pedestrian issues.

Tim Kane, Assistant Town Solicitor, suggested that the request for music on the patio be addressed at a different time as it is a form of entertainment. T. Kane advised that only the Special Event requests be handled tonight. Jean Fecteau, Town Clerk, stated that the applicant already has an entertainment license but it is for the interior only. J. Fecteau noted that we have expanded use for service of food and drink outdoors, but nobody has been allowed to have steady music outside.

Councilor Sette asked if alcohol would be served only inside the building and on the patio during the car shows. The applicant replied in the affirmative.

Councilor W. Steere stated that he has a question regarding all of the requests, some of which have specific dates and others which do not. Councilor W. Steere stated that he is concerned about public safety if more than one establishment held a large event on the same day. Councilor W. Steere asked Chief DelPrete for his opinion. Chief DelPrete stated that it would depend on the volume of the events, however historically there has never been a problem. Tim Kane stated that an application would still be filed for each event so that all parties would be aware of the dates.

R. Zalewski stated that he will have a Police officer at his shows because everything goes more smoothly regarding traffic and parking. Councilor W. Steere noted that if the Council grants the request, all local and State laws must be followed.

Councilor W. Steere asked if anyone else wished to be heard. After discussion, there was Council consensus to vote on each request separately. Tim Kane brought up the issue of capacity, stating that if it begins to rain at an outdoor event, everyone goes inside, therefore the posted capacity cannot be exceeded. T. Kane stated that this is a matter for the Fire Department to address. Councilor Reichert stated that he is on the Board of the West Gloucester Fire Department and will look into this.

MOTION was made by Councilor Reichert to APPROVE the Special Events requested by Robert Zalewski, RMZ, LLC, d/b/a Snow's Clambox, 2461 Putnam Pike, Glocester, RI as follows:

- April 28th - Car Show
- May 26th - Motorcycle Event
- June 23rd - Car Show
- August 11th - Car Show

with the following stipulations:

- 1) A Police Detail is required.
- 2) No parking will be allowed on Route 44.
- 3) Tents with sides shall be inspected by the Fire Department.
- 4) Amplification is allowed but no live bands.
- 5) Alcohol can only be served where previously approved.
- 6) Must adhere to posted indoor capacity.
- 7) Issues that arise from any events will require the applicant to return to the Licensing Board.
- 8) A Special Event Application must be filled out for each event.

Seconded by Councilor G. Steere,

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Vincent Iannuzzi, Putnam Properties, Inc.
d/b/a Stick's Tavern
417 Putnam Pike, Glocester, RI

Councilor W. Steere read the following request into the record:

March 11, 2013

RE: Special Event/Operation of Business

Dear Council members:

I'm requesting two special event permits per month from April through October to have outdoor entertainment. The scheduling would be either a Saturday, Sunday or holiday Monday from 1PM to 6PM, not to exceed 4 hours in length.

Sticks Tavern has received special event licenses for outdoor entertainment in the past. The events have been a success and there have been no complaints.

I can assure you that future events would be held in the same responsible manner. Thank you for your consideration.

Vincent N. Iannuzzi, Jr.
President, Putnam Properties
(end of request)

Discussion: Adriana Iannuzzi appeared on behalf of Vincent Iannuzzi, applicant/owner of Sticks Tavern. A. Iannuzzi stated that, in the past, the establishment has been granted permission to have an outdoor DJ once a month. A. Iannuzzi commented that there have been no complaints, therefore they are now asking to be allowed to have a band, not to exceed three (3) people, perform outdoors.

Councilor Sette asked what type of events are anticipated. A. Iannuzzi replied that they would like to hold several charity events. Councilor W. Steere expressed concern that the business is requesting 14 events, stating that four (4) per season is what is normally allowed. Councilor W. Steere further stated that we do not know what these events would be, whereas the previous applicant had specific events planned.

A. Iannuzzi pointed out that an application would be filed before each event, allowing the Council an opportunity to consider the type of event. A. Iannuzzi stated that if anything were to happen at an event, she would stop the event immediately.

Jean Fecteau, Town Clerk, stated that the purpose of this Public Hearing was to avoid having the applicants come to the Town Council for each Special Event license request. J. Fecteau noted that without a specific event schedule, this applicant would have to appear each time. Councilor W. Steere commented that the Council cannot approve something if they do not know what it is. J. Fecteau further stated that some types of events would require advertising.

A. Iannuzzi pointed out that there would be no safety issues because it would only be a 3 person band performing in the back yard. A. Iannuzzi again stated that she would submit an application to the Town Clerk weeks in advance of an event. Councilor W. Steere reiterated that the applicant is asking for 14 events, but the Council does not know what they would entail.

Councilor Sette stated that the Police Chief would also need to know beforehand in case there are other events planned for the same day. Councilor Burlingame stated that the Council cannot give a blanket approval, but if the applicant comes back with more specific information, the Council can take action.

Councilor G. Steere stated that last year, this establishment was granted permission to have one (1) event per month. J. Fecteau stated that the Council allowed several businesses to hold four (4) events per season. Tim Kane, Assistant Town Solicitor, noted that in these cases, the Council had a general idea of the type of events which were planned. A. Iannuzzi stated that she often receives requests for charity events on short notice, therefore she could not include these on a schedule. J. Fecteau commented that perhaps a blanket approach would not work for Sticks Tavern.

There was discussion concerning how to handle this public hearing if the applicant must come back with more information. J. Fecteau stated that the public hearing must remain open because the public has the right to speak regarding what the applicant brings forward to the Council. Tim Kane stated that a Public Hearing must be continued to a date certain. T. Kane advised the applicant to submit to the Council a rough schedule of events for consideration at the meeting of May 2nd.

Councilor W. Steere stated that personally, he feels that 14 events is excessive since they were allowed four (4) events last year. Councilor W. Steere stated that the neighbors must be considered. Councilor G. Steere expressed his opinion that one (1) event per month is enough to ask from the neighbors, stating that 14 could be a little excessive. Councilor Sette suggested that a number somewhere in between might be agreeable to all parties.

A. Iannuzzi stated that the bar is situated in an area where there are not many neighbors. A. Iannuzzi also noted that they have not had any complaints regarding past events. Councilor W. Steere pointed out that sound travels. A. Iannuzzi agreed, but stated that the events would be held during the day and would not exceed four (4) hours.

Councilor W. Steere asked if anyone from the public wished to be heard regarding this application.

David Laplante, of Absalona Hill Road, stated that you don't have to live next door to hear the noise. D. Laplante stated that he lives a quarter-mile away and can sometimes hear music as well as foul language during an event. D. Laplante stated that none of the previous events got out of hand, however he is concerned that the business is looking for 14 openings to build events around them instead of 14 set events.

D. Laplante stated that it does make a difference what the events are with respect to public safety and noise. D. Laplante expressed concern that if Sticks is allowed 14 events, other businesses will also want 14 events. In closing, D. Laplante stated that he has not had a problem with prior events, but he wants to know what type of events are planned.

Eleanor Heuberger, of Cady Lane, stated that she is also concerned regarding the number of events requested. E. Heuberger noted that there are 7 or 8 weekends during the summer, which would mean that there would be an event on every single weekend day. E. Heuberger stated that this would interfere with people having events at their own homes on the weekend.

Adriana Iannuzzi replied that the request is for a 6-month period or 24 weekends. A. Iannuzzi stated that there would not be an event every single weekend. A. Iannuzzi further stated that, as manager, she does not allow large motorcycle groups.

Councilor W. Steere asked if anyone else wished to be heard. Hearing none, Councilor W. Steere explained that this Public Hearing will remain open until the Town Council meeting of May 2nd.

3. Stephen and Robin Tyo, Tyo-Ristaino Corp
d/b/a Cady's Tavern
2168 Putnam Pike, Glocester, RI

Councilor W. Steere read the following into the record:

Jean Fecteau
Glocester Town Clerk

Cady's Tavern is planning on submitting to Town Clerk's Office for several Special Events to take place on the outside of the building.

The types of special events: Fund raiser for Susan G. Komen Breast Cancer - Car Washes (each month June, July, August)

Car Show

Art Exhibit

Hosting of Lake Washington Yard Sale in the fall

Thank you,
Steve & Robin Tyo
Tyo-Ristaino Corp/DBA Cady's Tavern
(end of request)

Discussion: Robin Tyo, applicant, explained that these events are the same as those held last year. R. Tyo stated that they held a couple of car shows last year on a Monday night, but there was not a large turnout. R. Tyo stated that she wishes to work with the Lake Washington Association for their annual yard sale again this year. R. Tyo noted that last year, this event was not counted toward her number of events allowed, but she wished to include it in the request to make sure it is covered. R. Tyo further stated that they are also interested in hosting a gentleman who does chainsaw carvings.

Jean Fecteau, Town Clerk, stated that last year's license for Cady's Tavern included stipulations which prohibited outside entertainment, amplification, tents and additional lighting. R. Tyo stated that she agrees to these stipulations for this request.

Eleanor Heuberger, 12 Cady Lane, stated that her property abuts Cady's Tavern. E. Heuberger noted that the request does not list specific dates or number of events. Councilor W. Steere stated that the letter from the applicant states specific events such as breast cancer fund raisers, a car show, an art exhibit and a yard sale, for a total of six (6) events. E. Heuberger noted that the request does not specify dates or days of the week.

Robin Tyo stated the dates have not been scheduled due to staffing and weather. R. Tyo stated that the events would probably be held on Saturdays as Sundays are already very busy.

Councilor Burlingame noted that there is the issue of weather to consider, especially for the car washes. Councilor Burlingame stated that Cady's record is good with regard to previous events, adding that he is okay with the six (6) events requested.

Councilor G. Steere noted that last year, Cady's held the car shows on Monday nights and asked what day the car washes would be held. R. Tyo replied that the car washes will be on Saturday and this year, they may wait until the middle of June for the car washes to begin because the weather was cold last year. R. Tyo stated that the yard sale would also be weather-contingent.

Councilor Burlingame suggested that the dates and day of the week be left open to allow for weather issues. Councilor W. Steere asked what time the evening car show would take place. R. Tyo replied that last year they had several "cruise nights" which were from 6:00 to 8:30. J. Fecteau, Town Clerk, asked if a DJ with amplification would be allowed. Councilor W. Steere replied that the physical restrictions of the neighborhood do not allow amplification.

Eleanor Heuberger stated that Cady's is extremely busy on Sundays and stated that if the car shows are held on Saturday, it would make for a completely busy weekend. E. Heuberger stated that she would not object to one or two Saturdays, but would not want to have that type of traffic each weekend. Regarding the car wash events, E. Heuberger expressed concern regarding the runoff and its effect on the lake.

Councilor Sette stated that the Council could approve the six (6) specific events as requested but allow the applicant to schedule them when they wish. Councilor Burlingame agreed. Councilor Reichert spoke about the runoff issue, stating that there are biodegradable detergents available which could be used. Councilor Sette stated that he likes the fact that Cady's is working with the Lake Association on these events.

Councilor W. Steere asked if anybody else wished to be heard regarding the application of Cady's Tavern.

MOTION was made by Councilor Sette to APPROVE the following events for Steve & Robin Tyo, Tyo-Ristaino Corp d/b/a Cady's Tavern: three (3) car/bike washes; one (1) car show; one (1) art exhibit; and the hosting of the Lake Washington yard sale, with the following stipulations:

1. A dedicated parking area shall be maintained for participants & customers and there shall be no parking on Putnam Pike.
2. Alcohol shall not be allowed anywhere except the areas previously authorized.
3. The events are authorized from June to October, 2013.
4. This special events license can be suspended or withdrawn by Town Council within the sole discretion of the Town Council as the Licensing Board.
5. There shall be no outside entertainment, no amplification, no tents and no additional lighting.

seconded by Councilor Burlingame.

Discussion: Councilor Sette asked Joseph DelPrete, Chief of Police, if he feels that a police detail would be necessary for any of the events. Chief DelPrete replied in the negative.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

4. Joseph Iaciovano, Knight Farm, LLC
d/b/a Knight Farm
1 Snake Hill Road, Glocester, RI

Classic Car Show	June 1, 2013	11:30 - 3:30 p.m.
Classic Car Show	July 13, 2013	11:30 - 3:30 p.m.
Antique Tractor Show	August 3, 2013	11:30 - 5:00 p.m.
Classic Car Show	August 24, 2013	11:30 - 3:30 p.m.

Joseph Iaciovano, applicant, stated that for the last several years, he has had three (3) car shows per season, although he has been allowed to have up to four (4) events. J. Iaciovano stated that he would like to add an antique tractor and truck show, which he feels would be very popular. J. Iaciovano noted that "Cruisin' Bruce", who conducts the car shows, has a specific schedule and no rain dates would be needed. However, J. Iaciovano asked if a rain date could be allowed for the antique tractor show.

Councilor G. Steere asked the applicant if 3:30 p.m. is late enough for the events to end. J. Iaciovano replied that the time for the car shows is set at noon to 3 o'clock, but the tractor show could be extended until 5:00 p.m.

Councilor W. Steere asked if anyone else wished to be heard.

MOTION was made by Councilor G. Steere to GRANT the Special Events requested by Joseph Iaciovano, Knight Farm, LLC, d/b/a Knight Farm, 1 Snake Hill Road, Glocester, RI for 2013 as follows, with the allowance for rain dates.

Classic Car Show	June 1, 2013	11:30 - 3:30 p.m.
Classic Car Show	July 13, 2013	11:30 - 3:30 p.m.
Antique Tractor Show	August 3, 2013	11:30 - 5:00 p.m.
Classic Car Show	August 24, 2013	11:30 - 3:30 p.m.

seconded by Councilor Burlingame.

Discussion: Councilor W. Steere asked if there would be amplification. J. Iaciovano replied that the only amplification will be for the DJ who will be working the events. There was discussion regarding parking at the events. J. Iaciovano stated that all cars will be parked in the orchard and not in the parking lot or on the road.

Jean Fecteau, Town Clerk, asked if there would be any tents on the premises. J. Iacofano replied in the negative, stating that the garage will be open for the DJ to set up his equipment. It was stated that alcohol will only be allowed in areas where it is already permitted.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

MOTION was made by Councilor Sette to CONTINUE the Public Hearing for Sticks Tavern, Vincent Iannuzzi, Putnam Properties, Inc., d/b/a Sticks Tavern, 417 Putnam Pike, Glocester, RI to May 2, 2013; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VI. Unfinished Business

A. Boards & Commissions

1. Appointment - Discussion and/or Action

a. Land Trust - One 5 year term to expire 02/2016

MOTION was made by Councilor Reichert to APPOINT Stephen Mitchell to the Land Trust for one 5-year term to expire 2/2016; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VII. New Business

A. Appointment of Town Moderator

Councilor Burlingame stated that the Charter states that when the Town Moderator resigns, the Council can either appoint a replacement or a resident can be elected at the Town Financial Meeting. Councilor Burlingame stated that Kevin Walsh has experience in running meetings and has agreed to serve as Town Moderator.

Jean Fecteau, Town Clerk, stated that she spoke to Albert Aubin, who also ran for the position, just to inform him of the situation. The Clerk explained the process per Charter. The Clerk stated that Mr. Aubin just wanted to state if there was any question about the correct procedure that he was not interested in the position at this time.

MOTION was made by Councilor Burlingame to APPOINT Kevin Walsh to the position of Town Moderator to complete the term of elected Moderator Stephen Mitchell, said term to expire 12/31/2014; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VIII. Adjourn

MOTION was made by Councilor Sette to ADJOURN at 8:34 p.m.; seconded by Councilor Reichert.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the May 2, 2013 Town Council Meeting.

**At a meeting of the Town Council holden in and
for the Town of Gloucester on April 18, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President; George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Jean Fecteau, Town Clerk; William Bernstein, Town Solicitor; Tom Mainville, Finance Director; Gary Treml, Director of Public Works; Jason Rhodes, Emergency Management Director; Anne Ejnes, School Committee member; and Judy Branch, Director of Human Services.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

Moment of Silence - Patriot's Day Tragedy

A moment of silence was observed in honor of the people who were lost or injured during the events of the Boston Marathon.

IV. Open Forum for Agenda Items

Michael Ahnrud, Conservation Commission chair, stated that he has spoken with a potential candidate for the alternate position, but the individual is unable to fill the position at this time. M. Ahnrud stated that he will take a second look at the talent bank applications and will ask the Town Clerk to post a notice in the Bargain Buyer to generate interest.

Jean Fecteau, Town Clerk, stated that she will advertise in several publications and is working on a flyer to distribute at several locations, such as the Financial Town Meeting. Councilor Sette suggested that the flyers be available at any Earth Day events that are planned in the Town.

V. Resolutions/Proclamations

A. Earth Day

Councilor Sette read the following Proclamation for Earth Day

2013-1 Earth Day

WHEREAS, the Town of Gloucester recognizes that the First Earth Day in 1970 was the beginning of the modern environmental movement which helped shape the values and priorities of a whole generation. As a result of citizen demand, Congress passed the Clean Air Act, the Clean Water Act, the Endangered Species Act, as well as superfund legislation putting a lasting framework for our future in place; and

WHEREAS, Rhode Islanders, and Gloucester residents in particular, have demonstrated leadership in environmental action and awareness, and have also expected sound environmental action from their leaders; and

WHEREAS, in observation of Earth Day, April 22nd, the Conservation Commission has planned many activities, that include: Volunteering to clean up the historic Gloucester Pound, located near the Gloucester Police Station, on the 21st; clean up of several historical cemeteries; the building & posting of bluebird boxes at the Shady Oak Brook Tree Orchard/Community Garden; and on May 4th, in conjunction with the Gloucester Heritage Society/URI Master Gardeners workshop at the Dr. Reuben Mason house, the Commission will distribute 1200 tree seedlings to residents; and

WHEREAS, Earth Day is being recognized in Rhode Island by activities that will take place statewide all month. The Town Council supports the activities of the 43rd year of Earth Day in Gloucester, statewide, nationally, and on a global level and we encourage our youth and adults alike to take a pledge to keep Rhode Island Clean and Green; and

NOW THEREFORE BE IT RESOLVED: that the Town Council and Town Clerk encourages Gloucester residents to participate in neighborhood cleanups, as well as our Conservation Commission & Land Trust efforts and celebrations of Earth Day.

Walter M.O. Steere, III President, Gloucester Town Council
Jean M. Fecteau, CMC, Town Clerk

Dated this 18th, day of April 2013

seconded by Councilor Reichert.

Discussion: None

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

B. Arbor Day

Councilor G. Steere read the following Arbor Day Proclamation:

2013-2 Arbor Day

WHEREAS, In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees. This holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska and is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, clean the air, produce oxygen and provide habitat for wildlife. Trees are also a renewable resource of wood for our homes, and fuel for our fires. Trees in our Town enhance our property, beautify our community and are a source of joy and spiritual renewal, and

WHEREAS, in observation of Arbor Day, April 26th, the Conservation Commission will hold its 39th Annual Tree Give Away on Saturday, May 4th where, in conjunction with the Gloucester Heritage Society/URI Master Gardeners workshop at the Dr. Reuben Mason house, 1200 tree seedlings, including flowering dogwoods, Lilacs, Redbuds, and Arrowwoods will be distributed free of charge to Gloucester residents; and

WHEREAS, there are many events planned statewide for the celebration of Earth Day & Arbor day that will help promote and teach our families the values of preserving our environment while providing a fun family experience; and

NOW THEREFORE BE IT RESOLVED that the Town Council and Town Clerk of the Town of Gloucester do hereby proclaim April 26th as “Arbor Day” in the Town of Gloucester, and urge all citizens to celebrate by supporting efforts to protect our trees and woodlands, and encourage all to go to www.whatgrowsonri.com to view a listing of state wide events.

Further, we urge all citizens to plant trees and promote this celebration of nature for future generations.

Walter M.O. Steere, III, President, Gloucester Town Council
Jean M. Fecteau, CMC, Town Clerk

Dated this 18th Day of April, 2013

seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

- VI. Public Hearing A. Licensing Board - Discussion and/or Action
1. Kennel License for the purpose of operating as: Little Rhody Rescue
Applicant: Kathleen A. Dubuque
Owner: Kathleen A. Dubuque
Location: 31C Cooper Road further described as AP 17 Lot 100

Councilor W. Steere stated that this Public Hearing was advertised in the Valley Breeze/Observer on April 4, 2013.

Councilor W. Steere DECLARED the Public Hearing OPEN.

Councilor W. Steere stated that this application is for a Kennel License at a new location. The applicant has gone to the Zoning Board for a determination on a Special Use permit, motion follows:

A motion to grant the relief sought, subject to the following condition, was made by Vice Chairman Winsor, and seconded by Member Morin. The granting of this petition is expressly made conditional upon the following:

- 1) The special use permit shall terminate when the premises are conveyed by Kathleen and Donald Dubuque. The permit does not run with the land.
- 2) The scope and size of the kennel shall not be substantially expanded.
- 3) No dogs shall be allowed outside when the owner is not on the premises.

Motion passed 5 ayes (Meinertz, Winsor, Bigwood, Morin and Donnelly).
(end of motion)

Councilor W. Steere stated that the Clerk's Office has been and will continue to obtain any state or local approvals as needed.

Councilor W. Steere asked if anyone wished to speak regarding the kennel license application.

Discussion: Kathleen Dubuque, owner/applicant, explained that her group, Little Rhody Rescue, removes animals from high-kill facilities in other states after which the animals must undergo a five-day quarantine, per Rhode Island State Law. K. Dubuque described the quarantine room and separate runs which measure 5 feet by 5 feet by 6 feet high.

K. Dubuque distributed photographs to the Council members. K. Dubuque noted that she has obtained approval by the State of Rhode Island and the Division of Agriculture, Animal Health Section.

Councilor W. Steere asked if anyone else wished to be heard. Hearing none, Councilor W. Steere DECLARED the Public Hearing CLOSED.

Discussion: None.

MOTION was made by Councilor Sette to GRANT the issuance of a Kennel License to:
Applicant: Kathleen A. Dubuque, Owner: Kathleen A. Dubuque, Location: 31 C Cooper Road further described as AP 17 Lot 100 to operate as Little Rhody Rescue; subject to: all necessary state and local approvals; and Zoning Board of Review stipulations:

- 1) The special use permit shall terminate when the premises are conveyed by Kathleen and Donald Dubuque. The permit does not run with the land.
- 2) The scope and size of the kennel shall not be substantially expanded.
- 3) No dogs shall be allowed outside when the owner is not on the premises.

Seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

- B. Gloucester Code of Ordinance - Discussion and/or Action
Proposed Amendment, (First Reading held on March 21, 2013)
Addition of: Sec. 242-2. - Deposit of snow and ice.

Councilor W. Steere stated that the proposed ordinance was introduced by first reading on March 21, 2013 and this Public Hearing was advertised in the Valley Breeze/Observer on April 4, 2013.

Councilor W. Steere DECLARED the Public Hearing OPEN and asked if anyone wished to be heard regarding the Proposed Amendment to the Gloucester Code of Ordinances.

Proposed Ordinance:

Addition of: Sec. 242-2. - Deposit of snow and ice.

No person shall deposit or cause to be deposited any snow, ice or other substance upon the plowed surface of any street or public highway in the town. The fine shall be \$100 per occurrence.

Discussion:

1. Charlie Wilson, Putnam Pike, asked if this Ordinance would affect the average person who plows his snow across the street to an empty lot, but cleans up the street afterward.

2. George Charette stated that he has plowed for many years, for both the State and private property owners, and stated that there is a rule that when plowing snow across a road, it must be pushed beyond the curb line, leaving no snow in the street.
3. Dave Steere stated that the ordinance reads “snow, ice or other substance,” and asked what is the definition of “other substance.” Councilor W. Steere replied that his interpretation is that when plowing stone driveways, stones become incorporated with the snow which is being removed. William Bernstein, Town Solicitor, stated that within the context of this ordinance, it clearly relates to the Town’s efforts to remove snow in an efficient manner, therefore anything that impedes this is prohibited by this ordinance.

D. Steere expressed his opinion that the ordinance is open-ended. W. Bernstein replied that there will be discretion, adding that the purpose of this ordinance is to efficiently allow the Town to clear the streets of snow. D. Steere asked if this applies to State highways also. W. Bernstein replied that State Statute governs that. D. Steere recommended that the wording be changed to reflect that the fines will only be imposed on roads which are plowed by the Town. Councilor G. Steere suggested that the phrase “Town maintained roads” be used.

D. Steere further stated that it is harsh to impose a \$100 fine for the first offense. Councilor W. Steere agreed. D. Steere asked how this ordinance will be enforced. Councilor Reichert stated that there are a few people who plow carelessly without any thought of cleaning up afterward. Councilor Reichert stated that this ordinance is meant for them.

D. Steere asked if enforcement will be by the Town Police. W. Bernstein stated that the ordinance will be enforced like other Town ordinances; the Highway Department will take note of chronic violators and a warning will be issued. D. Steere asked what would happen if somebody refused to pay the fine. W. Bernstein replied that they would have to go to District Court for ordinance violation.

4. Jason Rhodes, of 32 Sprague Hill Road, Emergency Management Director, stated that it is frustrating when after the State and Town do their job plowing, somebody plows across the road, causing a safety hazard. J. Rhodes stated that he supports this ordinance to keep the roads safe.

Councilor Sette suggested that the Council give consideration to enforcing the ordinance with a warning for the first offense, a fine of up to \$100 for the second offense, and progressing fines thereafter. Councilor Burlingame stated that he was thinking of a similar method which is not too lenient, such as a warning for the first offense, \$25 fine for the second offense, \$50 for the third offense and \$100 for the fourth offense.

Councilor Sette stated that this would follow along with our other ordinances. Councilor G. Steere recommended that a written warning be issued for the first offense, followed by a fine for subsequent offenses.

Councilor W. Steere asked if anyone else wished to be heard. Hearing none, Councilor W. Steere DECLARED the Public Hearing CLOSED.

Discussion: Councilor W. Steere stated that he would be in favor of a warning followed by fines in graduated amounts. Regarding enforcement, Councilor W. Steere stated that the ordinance is vague and should be tightened up. Councilor W. Steere stated that the proposed ordinance reads that no person shall deposit snow on any “plowed surface” and wondered if this would cause people to plow across roads before they are plowed, putting more snow on the roads to be plowed. Councilor W. Steere recommended removing the word “plowed” and reword the ordinance to say “surface of any street”.

Councilor G. Steere stated that this is a good point and also suggested that “public highway” be replaced by “Town maintained road.” Councilor G. Steere further stated that he agrees with a first-time warning followed by graduated fines. Councilor G. Steere noted that sometimes people plow their driveways into the road several days after a storm, thinking that the Town trucks will come back to plow the road.

Councilor G. Steere stated that this is a matter of public safety but it is also an expense to send the trucks back out. Councilor G. Steere stated that there should be discretion, adding that this ordinance is not meant to harass people, but to solve a chronic problem. Councilor G. Steere commented that he is not in favor of creating more ordinances, but feels that the Public Works Director needs help in this case.

William Bernstein spoke about enforcement, stating that the logical way would be for the Highway Department to generate a report to the Police Department who would in turn write up a summons and assess a fine. W. Bernstein stated that this is similar to the enforcement of the School Bus Ordinance, where bus operators forward a list of violators to the Police Department for processing.

Councilor G. Steere asked if the homeowner would be cited in cases where somebody was hired to plow the property. W. Bernstein noted that this is covered in the wording that “No person shall deposit or cause to be deposited”.

Councilor W. Steere asked how a person could challenge a warning. W. Bernstein replied that there is no forum for challenging a warning, but if a person is given a fine for a second offense and wishes to challenge it, he could bring up the first offense at that time.

Councilor G. Steere suggested that an ad be placed in the Bargain Buyer in November to notify residents before the winter season begins.

Councilor Sette read the following revised ordinance:

Addition of: Sec. 242-2. - Deposit of Snow and Ice.

No person shall deposit or cause to be deposited any snow, ice or other substance upon the surface of any Town maintained road in the Town of Gloucester. The fine shall be enforced

first by a warning, then by a progressive fine of \$25, \$50 and up to \$100 per occurrence. The enforcement will be through the Gloucester Police Department after notice by the Director of the Gloucester Department of Public Works.

MOTION was made by Councilor Sette to ADOPT the Addition of: Section 242-2 - Deposit of snow and ice, to the Gloucester Code of Ordinance, effective upon passage; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VII. Consent Items - Discussion and/or Action

- A. Town Council Minutes - February 26th, April 4, & 11th, 2013
- B. Tax Assessor's Additions & Abatements
- C. Finance Director's Reports- Nov. 2012 - Feb. 2013

MOTION was made by Councilor Reichert to TABLE the Town Council minutes of February 26th, April 4th, & April 11th, 2013; to APPROVE the Abatement to the 2012 Tax Roll in the amount of \$165.71, the 2011 Tax Roll in the amount of \$20.11, the 2010 Tax Roll in the amount of \$198.01, the 2009 Tax Roll in the amount of \$82.52, No Additions for March; and to ACCEPT the Finance Director's Report to include November 2012 to February 2013; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VIII. Unfinished Business

- A. Board and Commissions
 - 1. Appointments - Discussion and/or Action
 - a. Community Resource Commission -
 - 1. Two Alternate one year terms
 - 2. One Regular member term to expire 1/2015

Councilor W. Steere stated that the Community Resource Commission has one regular and two alternate positions to fill. Councilor W. Steere noted that he has not received any recommendations from the chair nor have any new talent bank applications been filed.

MOTION was made by Councilor G. Steere to TABLE the appointments to the Community Resource Commission; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

b. Local Board of Appeals for Building Code

1. One five year term to expire 6/2015

MOTION was made by Councilor Sette to TABLE the appointment to the Local Board of Appeals for Building Code; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

c. Conservation Commission

- One Alternate one year term to expire 2/2014

MOTION was made by Councilor Sette to TABLE the appointment to the Conservation Commission for one Alternate term to expire 2/2014; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Appointments

1. Tree Warden 2013- Discussion and/or Action

Councilor W. Steere stated that there have been no recommendations at this time. Jean Fecteau, Town Clerk, stated that she has contacted Bruce Payton, former Tree Warden, to ask for suggestions.

MOTION was made by Councilor G. Steere to TABLE the appointment of Tree Warden 2013; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. Transfer of Funds Request

1. Land Trust reimbursement update (Hawkins Property) - Discussion and/or Action
2. DPW: Hawkins Pond Project reimbursements to Public Works FA (Road Construction) Account - Discussion and/or Action

Councilor W. Steere stated that we have the motion from Land Trust for the reimbursement payment to the Town for work done on the Hawkins Property, however the minutes have not yet been approved. William Bernstein, Town Solicitor, stated that out of an abundance of caution, this item could be approved subject to the approval of the Land Trust minutes. Councilor Burlingame agreed, stating that by doing so, the Council would not have to visit this matter again. Councilor Burlingame stated that when the Town Clerk receives the approved Land Trust minutes, the reimbursement would then be made.

MOTION was made by Councilor Burlingame to APPROVE the Transfer of Funds Request for 1. Land Trust reimbursement & 2. DPW request to transfer the reimbursement funds to a restricted account, subject to the approval of the Land Trust minutes; seconded by Councilor G. Steere.

Discussion: There was discussion concerning the dollar amounts of the transfers. Tom Mainville, Finance Director, asked if the figures should be included in the motion. Councilor Sette stated that he believes that the dollar figures were already agreed upon and we were just waiting for the Land Trust to approve the transfer at their meeting. Councilor Burlingame stated that if there is any difference, we will bring it up. Councilor G. Steere stated that he was in attendance at the Land Trust meeting and the figures were correct.

George Charette stated that the amount which must be withdrawn to make the bill paid in full is \$28,616.69. Jean Fecteau, Town Clerk, stated that this is in the motion. Councilor G. Steere noted that this amount is in addition to the \$100,000 which was already approved. G. Charette concurred, stating that the total amount of the bill is \$128,616.69, of which \$100,000 has already been paid out. Councilor W. Steere stated that since there is a little bit of confusion, the Council should just wait.

Tom Mainville stated that there are several elements to this issue. T. Mainville stated that a bill from EA Engineering was paid separately. T. Mainville stated that the amounts which have not yet been paid are \$3,757.60 for the services of the Town Planner and a proposed amount of \$55,267.63 for the Department of Public Works, for a total of \$59,025.23. T. Mainville stated that the total cost of the project, including EA Engineering, is \$179,664.80, some of which has already been paid. T. Mainville stated that the only amount outstanding is the \$59,025.23 previously mentioned. Councilor W. Steere stated that in light of this, maybe the Council should wait until the Land Trust minutes are approved.

Councilor Burlingame WITHDREW his MOTION; Councilor G. Steere WITHDREW his second.

George Charette stated that he will meet with Tom Mainville to verify the final amount of the reimbursement.

MOTION was made by Councilor Reichert to TABLE the Transfer of Funds Request for 1. Land Trust reimbursement & 2. DPW request to transfer the reimbursement funds to a restricted account; seconded by Councilor Burlingame.

Discussion: Councilor Burlingame stated that he wishes to make sure that this is not brought up again at the next meeting.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

IX. New Business

A. Adelaide Road - Update

(Litigation, status of land purchase) - Discussion and/or Action

Councilor G. Steere stated that he has been asked by residents of Adelaide Road if the Town intends to purchase the Hoffman Farm for the purpose of building ball fields on the property. Councilor G. Steere stated that the residents are concerned about increased traffic. Councilor G. Steere stated that he had no answers as the matter is in litigation. William Bernstein, Town Solicitor, stated that the case is still pending, therefore, he cannot comment other than to say that testimony has been completed and we are awaiting the judge's decision.

B. Request share of \$750,000.00 Davis Landfill settlement from RI Attorney General's office and RIDEM - Discussion and/or Action

Councilor W. Steere stated that the Council has received a memo from the Tax Collector regarding a settlement to the State for the Davis Landfill property asking if Gloucester should participate.

Councilor W. Steere read the following letter sent to the Governor by the Smithfield Town Manager:

Governor of the State of Rhode Island

Dear Governor Chafee:

On March 22, 2013. The Providence Journal reported that the State of Rhode Island will receive \$750,000 in additional compensation for the continued contamination of groundwater in the vicinity of the Davis Superfund site located in Smithfield.

When contamination was discovered at the Davis site the Town of Smithfield increased residential lot sizes in the area in an effort to protect the public from polluted groundwater. As a result the Town experienced a substantial loss of tax revenue. In addition, the Town incurred extensive costs during the course of the Superfund project such as police overtime, public works deployment, and administration.

As Smithfield Town Manager, I request a meeting with the appropriate state officials to discuss the possibility of Smithfield receiving a portion of the settlement funds to help defray the Town's costs.

Thank you for your consideration of this request.

Dennis G. Finlay
Town Manager
(end of memo)

Discussion: Councilor Sette expressed his opinion that we should send a similar letter, either through the Council President or the Town Solicitor. Councilor Sette stated that there is a substantial amount of money in tax revenue still owed to the Town.

Councilor Reichert explained that as a result of the contamination, Smithfield had to install municipal water, but the Gloucester side of the property has never been cleaned up. Councilor Reichert stated that the area was designated as a Superfund site, but the funds ran out before any remediation could take place on the Gloucester side. Councilor Reichert stated that this was a licensed dump and the Town could ultimately be responsible for some of the clean up.

Councilor Sette commented that this is even more reason why we should send the letter and have the discussion to put us on record in case it becomes an issue.

Councilor Reichert stated that somewhere along the line, something will have to be done at the site. Councilor G. Steere agreed, stating that it is "when", not "if". Councilor Sette stated that if we have a meeting with the State and these concerns are raised, we would be on record. Councilor Burlingame stated that it was the west side of the road that was the created municipal dump back in the 1970's, when the Council, at the time, signed an agreement to call it the East Gloucester Annex Dump.

Councilor Burlingame stated it was thought that the dump on Chestnut Hill Road was going to be shut down. Councilor Burlingame stated that the agreement was signed prior to a Town Council meeting. Councilor Burlingame agreed with Councilor Reichert that somewhere down the road, someone will drill test holes and who knows what will be found. Councilor Burlingame also feels that a letter should be sent.

Councilor W. Steere asked William Bernstein for a legal opinion. W. Bernstein stated that at some point we will have to show the impact to the Town in order to qualify for any available funds. Councilor G. Steere stated that the impact is that there is a piece of land which has not generated any tax revenue for quite a few years. Councilor G. Steere stated that the Town took the property once, but then gave it back. W. Bernstein stated that sending the letter would be a good first step.

MOTION was made by Councilor Sette to AUTHORIZE the Town Council President to forward correspondence to the Governor regarding acquiring a portion of the state settlement for the Davis Dump property for the Town of Gloucester; seconded by Councilor Reichert.

Discussion: There was Council consensus that the Council President will formulate the correspondence in coordination with the Town Solicitor.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. Claim to Town (Sirois) ~ Damage to fence - Discussion and/or Action

Councilor W. Steere stated that the Council has received information from the Finance Director regarding his authority to deny claims being limited to a certain amount of money.

William Bernstein, Town Solicitor, stated that it is up to the Town Council to take initial action on claims, whether to approve or deny. Councilor Sette noted that there is precedence that a claim regarding the same fence was denied 7 or 8 years ago because the fence is located in the Town's right of way. Councilor Burlingame stated that if the Council denies the claim, it is referred to the insurance company.

MOTION was made by Councilor Burlingame to DENY the claim filed by Andrew/Susan Sirois of 724 Chestnut Hill Rd.; seconded by Councilor G. Steere.

Discussion: Councilor G. Steere stated that people who place a fence or shrubs close to the road should expect them to sustain damage from snow plows. Councilor Reichert stated that we have had claims for custom made mailboxes costing several hundred dollars, adding that the Town will replace them with standard inexpensive mailboxes. Councilor G. Steere noted that the damage is not done purposely.

Tom Mainville, Finance Director, stated that if denied, this claim will not be turned over to the insurance company. T. Mainville stated that if the claimant wishes to push the issue, they would have to take the next step. William Bernstein concurred, stating that once the denial is made by the Council, the claimant will be notified that it is up to them to take the next step.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

D. Award Bid RFP 2013-03

Comprehensive Community Plan Update 2013 - Discussion and/or Action

Councilor W. Steere read the following recommendation from the Board of Contracts & Purchases:

April 16, 2013

To: Town Council

From: Board of Contracts & Purchase (Board)

Re: **Award of RFP 2013-03 Comprehensive Community Plan Update 2013**

- I. RFP 2013-03 was advertised in accordance with current rules and procedures.
- II. Two (2) proposals were received and evaluated by the Board. Both were from qualified bidders.
- III. The Board recommends the bid be awarded to the lowest bidder:

Shamoon Planning LLC
309 Doyle Avenue
Providence, RI 02906

For the bid amount of: \$32,000 to update the Town's Comprehensive Community Plan consistent with the State Guide Plan and obtain State approval on said completed update.

Respectfully submitted,

Jean Fecteau - Town Clerk

Jane Steere - Deputy Treasurer

Thomas P. Mainville - Director of Finance

(end of memo)

Discussion: Councilor Reichert stated that Ray Goff, Town Planner, was out sick this week and was unable to attend the meeting, however he called Councilor Reichert to express support for the bid award.

MOTION was made by Councilor Sette to AWARD RFP 2013-03 Comprehensive Community Plan Update 2013 to: Shamoon Planning LLC, 309 Doyle Avenue, Providence, RI for the bid amount of \$32,000; seconded by Councilor Burlingame.

Discussion: Councilor G. Steere asked how much can be updated if we have a plan in place. Councilor G. Steere stated that he has spoken to the Planner about it and knows that it has to be done, but he feels that \$32,000 is a lot of money. Councilor Sette stated that the update is to be done every five years, however there is the ability to go to a ten-year update if certain elements are added.

George Charette, Planning Board chair, stated that the letter received from the State indicates that the update has been changed from ten years to twenty years. G. Charette commented that the Board members wonder how you can plan this far ahead concerning items such as housing, economic development, land use and zoning. G. Charette noted that Mr. Shamoon has been helpful in the past in guiding us in the proper direction.

April 18, 2013

14 of 19

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

- E. Personnel
 - 1. Adopt Job Description - Discussion and/or Action
Senior Center Director

Councilor W. Steere stated that the Senior Center Board of Directors has approved a job description for the Senior Center Director and is now asking Council to adopt on behalf of the Town. Councilor W. Steere noted that the Human Resource Director has reviewed the job description.

Tom Mainville, Human Resource Director, stated that he has been working with the Senior Center Board of Directors regarding this matter. T. Mainville stated that he is in favor of the job description, which is comprehensive and is a good guide for the Director to follow. Councilor Sette commented that the description states that the Senior Center Director reports to the Board of Directors, but the hiring of the position is done by the Town Council.

Councilor Sette asked if there should be anything in the description which states that the Director can be terminated by the Council. T. Mainville replied that the Personnel Handbook covers this. T. Mainville further explained that the reason the description states that the Director also takes direction from the Director of Human Resources is to have somebody available on a daily basis to provide guidance.

MOTION was made by Councilor Burlingame to ADOPT the Town of Gloucester, Position Description for the Senior Center Director as approved by the Senior Center Board of Directors on April 10, 2013 and reviewed by the Gloucester Human Resource Director; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

- X. Department Head Report/Discussion Bds. & Commissions - Discussion
 - A. Councilor W. Steere asked Gary Treml, Director of Public Works, if there is an updated list of roads which will be paved this year. G. Treml stated that Waterman Lake will be finished first, followed by Terry Lane. G. Treml noted that one of his workers will be out on extended sick leave so the Department will be shorthanded. Councilor W. Steere requested that G. Treml submit a proposed list of roads to be paved, adding that he is receiving questions from residents.

G. Treml stated that he has been notified that FEMA will be picking up 75% of the costs related to the blizzard.

- B. Jason Rhodes, Emergency Management Director, spoke on behalf of Joseph DelPrete, Chief of Police, regarding the proposal for an emergency notification system for Town residents. J. Rhodes stated that two proposals were received from Rapid Notify and Code Red. J. Rhodes stated that Code Red has proposed a flat fee of \$5,500 annually, while Rapid Notify has proposed a fee of \$4,200 for the first year, followed by \$3,700 for subsequent years.

J. Rhodes noted that there are differences in the proposals; Code Red proposes unlimited use of email, phone, text message, social media and their own app for mobile devices, while Rapid Notify proposes for email, phone and text message. J. Rhodes noted another difference is that Code Red proposes unlimited emergency and non-emergency use, while Rapid Notify is proposed for emergency use only.

J. Rhodes stated that Code Red initially submitted a price of \$7,500 for their system, but later reduced their price to \$5,500. J. Rhodes pointed out that a key feature is the flat use as opposed to purchasing a certain number of minutes to be used during the year. J. Rhodes stated that he fully supports some sort of emergency communication network within the Town. J. Rhodes encouraged the Town Council to consider both proposals, noting that his personal recommendation is Code Red.

Councilor G. Steere asked if the fee for Code Red would go down after the first year, stating that the annual fee for Rapid Notify is \$500 less for subsequent years. J. Rhodes explained that Rapid Notify would charge a \$500 setup fee, which Code Red has agreed to waive. J. Rhodes stated that the annual fee for Code Red would remain at \$5,500 after the first year.

Councilor Sette suggested that this matter be placed on the next Town Council agenda for approval.

- B. Mark Karmozyn, Land Trust chair, reported that the Trustees have adopted the Rules and Regulations which were spoken about at the Town Council workshop. M. Karmozyn stated that the Land Trust has voted to join the Land Trust Alliance and to adopt the standards and practices of the Alliance. M. Karmozyn added that the Land Trust will begin working toward accreditation. M. Karmozyn stated that work is being done on protocol and procedures for events by different groups. M. Karmozyn stated that the Land Trust website is being updated. M. Karmozyn stated that the Land Trust will now meet twice a month, the second and fourth Wednesday.
- C. Ariane Ferland, 2012 Parade Committee chair, stated that she cannot serve on the Committee this year, as she had indicated when she agreed to take over as chair last year. A. Ferland further stated that several long-term members of the Committee have also resigned. A. Ferland stated that there currently is no one who wishes to take over the considerable responsibilities of chairperson. A. Ferland stated that she is willing to help with the transition of new members, but is unwilling to put her name to anything with legal implications, such as grant applications or permits. A. Ferland expressed her opinion that unless somebody steps up now, there will be no parade this year.

Councilor G. Steere stated that we should advertise for volunteers, adding that if the parade does not take place this year, he feels that it would never come back.

Councilor W. Steere thanked A. Ferland for bringing this forward and for all that she has done to keep the parade going. It was noted that last year was the 86th Fourth of July Parade and is one of the things the Town is known for. Councilor W. Steere stated that now that the situation is known, the Council can address it, at least for the short term.

XI. Council Correspondence/Discussion

- A. Councilor Sette spoke about the 2014 Local Roads Program, explaining that this is the money the Governor has put in the budget for roads. The Department of Transportation is requesting a list of roadway resurfacing candidates. Councilor Sette stated that there is almost \$200,000 appropriated for this and suggested that we submit a list of projects.
- B. Councilor W. Steere stated that a letter was received from the Gloucester Light Infantry regarding the Memorial Day Parade which is scheduled for May 27th, rain or shine. Councilor W. Steere noted that the parade begins at the Chepachet Free Will Baptist Church at 10:00 a.m.
- C. Councilor W. Steere stated that correspondence was received from Relay For Life regarding their schedule of events in Burrillville and Gloucester.
- D. Councilor W. Steere stated that the Council received a packet of information from Marie Sweet with regard to stone walls.
- E. Councilor Reichert stated that he was contacted by Howard Tucker regarding Pine Hill Road. Mr. Tucker stated that his address has always been known as such, but the 911 directory shows Pine Hill Road in another area of Town. Councilor Reichert stated that he will work with the Town Clerk on researching this matter.

XII. Open Forum

- A. Rose LaVoie asked if the \$179,000 spent by the Land Trust was all for work on the dam. Councilor W. Steere stated that this was the total for the whole project. R. LaVoie stated that when the purchase of this property was discussed, it was mentioned that the dam would be a drawback. R. LaVoie asked if this was State money or Federal money. Councilor Burlingame replied that it was probably a combination. R. LaVoie recommended that the Council think long and hard before making decisions and consider what the repercussions will be down the road.

R. LaVoie questioned whether there is still litigation regarding the ownership of Adelaide Road. William Bernstein, Town Solicitor, replied in the affirmative. R. LaVoie stated that she thought it had been determined that it is a private road which the Town has the right of way to use to get to and from the park. W. Bernstein stated that this is being contested by some of the residents of Adelaide Road.

W. Bernstein stated that he cannot comment further because these are the issues that are pending before the court. R. LaVoie commented that the land was purchased for \$300,000 but the Town spent a million dollars by the time the park was completed, not to mention the cost of litigation, which is still going on. R. LaVoie spoke about the school construction project, stating that it was the worst thing that ever happened to us. R. LaVoie stated that this Council has been very wise in discussing everything before making decisions and urged them to continue to think long and hard.

R. LaVoie expressed her appreciation to Ariane Ferland for her work regarding the parade.

- B. Marie Sweet spoke regarding stone walls, stating that the issue will be addressed at the next meeting of the Heritage Society. M. Sweet stated that the members will be asked for their input. Councilor W. Steere suggested that a letter be sent to the Council indicating their thoughts on the subject.

M. Sweet stated that Edna Kent, Town Historian, and Michael Calenda, teacher at the high school, were honored at the Grange this week. M. Sweet commented that it was a very nice ceremony.

M. Sweet reported an incident in which she encountered a possible drunk driver on Durfee Hill Road who was driving very slowly. M. Sweet stated that she flashed her lights, but the other driver continued to slow down. M. Sweet noted that the next morning, the reflectors on the edge of her road were mowed down. M. Sweet stated that she filed a Police report because she thought that this might be a response to the incident the night before. M. Sweet further stated that the following day, several ducks were placed on her property. M. Sweet stated that she wonders if this was a coincidence or if somebody is out for revenge.

M. Sweet spoke about ordinances, stating that a good ordinance was passed tonight with regard to snow removal.

- C. Anne Ejnes stated that there is a local reporter for the Observer and suggested that something be published regarding the need for volunteers to serve on the Parade Committee.
- D. Paula Bissell, of Welks Lane, spoke about the Land Trust, stating that the Trustees voted to hire a lawyer at \$150 per hour to attend the Land Trust meetings. P. Bissell asked why a lawyer was needed when the Town has a lawyer. Councilor W. Steere replied that it is actually two separate boards, a quasi Town agency. Councilor W. Steere stated that he is in favor of this because it will help the Land Trust follow procedures concerning how a meeting is conducted. P. Bissell expressed her opinion that this is a waste of Land Trust money, adding that the Land Trust has run for many years without having a lawyer at their meetings. Councilor W. Steere stated that issues have come up recently.

P. Bissell spoke about Earth Day, stating that the Land Trust chose to ignore a pool of over 200 possible volunteers. P. Bissell expressed her dismay and stated that if the Conservation Commission wishes to contact her, the volunteers would be willing to help them. P. Bissell stated that the main mission of the Friends of the Land Trust is to support the Land Trust and public use of the Land Trust. P. Bissell stated that she has only been on the Friends for ten months, but what she has seen is sad.

P. Bissell stated that we have to look at the people we have on the board and whether they are following the mission of that Land Trust, because from what she has seen, they are not following the mission of the Land Trust at all. Councilor W. Steere responded that the group has been scrutinized in the past and there will probably be even more scrutiny from the public going forward because of what has happened in the past. Councilor W. Steere noted that his earlier comments regarding the attorney were his own personal opinion.

- E. Rose LaVoie stated that the Council had discussed having somebody from the State speak to Boards and Commissions regarding Open Meetings and asked if this ever took place. It was stated that the seminar was held and was attended by Board and Commission members. William Bernstein, Town Solicitor, stated that there are no complaints pending for violations to the Open Meetings Law or the Access to Public Records Act.
- F. Councilor Sette suggested that the new members of the Land Trust be given a six-month period to resolve their issues instead of addressing it on a weekly basis.

XIII. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 9:18 p.m.; seconded by Councilor G. Steere.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the May 2, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **May 2, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President;
George O. (Buster) Steere; and Edward C. Burlingame

Member Absent: Steven A. Sette

Also present: Jean Fecteau, Town Clerk; Tim Kane, Assistant Town Solicitor; Susan
Harris, Deputy Town Clerk; Joseph DelPrete, Chief of Police; Tom
Mainville, Finance Director; Gary Trembl, Director of Public Works; and
Walter Steere, Jr., School Committee member.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum for Agenda Items None.

V. Public Hearing

Special Event License Request - Licensing Board - Discussion and/or Action
Sticks Tavern, Vincent Iannuzzi, Putnam Properties, Inc., d/b/a Sticks Tavern, 417
Putnam Pike, Gloucester, RI Continuation from April 11, 2013

Councilor W. Steere stated that this Public Hearing was opened on April 11, 2013 and was
continued to allow the applicant to provide additional information to the Council.

Councilor W. Steere stated that a letter was received this week:

Putnam Properties, Inc DBA Sticks Tavern Gloucester, RI 02814
April 27, 2013

RE: Special Event Permits Dear Council Members:

I'm requesting Special Event Permits to have an outdoor DJ or a small band in conjunction
with charity fund raiser events. For example, Wounded Warrior Cookout, Battle Buddies
Volleyball Tournament, Rolling Thunder Bike Run/Cookout, etc. The schedule would
consist of one day in May and two days in June, July, August, September and October.

The DJ or a small band will be scheduled on either a Saturday, Sunday or holiday Monday
from 1PM to 6PM not to exceed 4 hours in length. Events would not be scheduled two
concurrent days.

In 2012 Sticks was allowed one day a month from April through October. The outdoor DJ was permitted with charity fund raisers. We used 4 of the 7 allowable days. The events were successful and we had no complaints about the noise. I can assure you future events would be held in the same responsible manner.

I cannot give you a schedule of events at this time. I've had several inquiries, but I cannot schedule the events until the permits are granted. Last year, I was required to give at least one weeks' notice prior to hosting an event. I was hoping to continue with that practice.

Thank you for your consideration.

Sincerely,
Vincent N Iannuzzi Jr President Putnam Properties, Inc
(end of letter)

Discussion: Councilor W. Steere asked if anyone wished to be heard.

Adriana Iannuzzi appeared before the Council on behalf of her father, Vincent Iannuzzi, applicant.

Iannuzzi stated that the original request for fourteen (14) events has been reduced to eleven (11). Regarding the Council's request for specific dates, A. Iannuzzi stated that unless the permit is granted, she cannot advertise for the events. A. Iannuzzi noted that only charitable events would be held.

Councilor G. Steere asked if there had been any problems last year regarding events at this location. Joseph DelPrete, Chief of Police, replied that he was given an outline of the type of events planned, who would monitor occupancy, etc., noting that there had been issues the previous year. Chief DelPrete stated that he would like an outline for this year's events.

Councilor Burlingame stated that he would be inclined to support this application because the events would be for charitable organizations and the past issues seem to have been taken care of. Councilor Burlingame noted that if any problems arise, the Council can deal with it. Jean Fecteau, Town Clerk, explained that the applicant will be required to fill out an application detailing each event a week prior to the event. J. Fecteau stated that she will forward the details to the Chief of Police and the Town Council.

Councilor Reichert commented that the applicant held seven (7) special events last year and is asking for eleven (11) this year. Jean Fecteau noted that they were approved for seven (7) events last year, but only used four (4).

Councilor G. Steere stated that if they keep it low-key and there are no complaints from the neighbors, that is the important thing. Councilor G. Steere stated that if there is a justified complaint from a neighbor during an event, the event will be stopped. Councilor Reichert stated that the tavern is in a location where noise, such as dialogue, is amplified.

Councilor Reichert further stated that although they are charity events, people stay until 1 o'clock in the morning. It was noted that the specific events would be from 1:00 to 6:00 PM. Councilor W. Steere also expressed concern regarding noise, stating that for the neighbors, this would affect their weekend. Councilor W. Steere stated that the sound level of an outside band would be more difficult to regulate than that of a DJ.

Councilor W. Steere stated that he feels that charitable events could still be held without outside bands. Councilor W. Steere further stated that eleven (11) events is excessive. Adriana Iannuzzi replied that last year they only used four (4) of the seven (7) allowed, therefore they would probably not use all of them again this year.

Councilor W. Steere asked if anyone else wished to speak. Hearing none, Councilor W. Steere declared the Public Hearing CLOSED.

Councilor Burlingame stated that he has no problem with a band, but if it becomes an issue, the Council can decide at that time to only allow a DJ. Councilor Reichert stated that his concern is the neighbors, adding that if there is a problem, the Council will step in.

Joseph DelPrete, Chief of Police, stated that he will closely monitor the outside activities at the tavern and will report to the Council if there are any problems. Regarding the request for bands, Councilor G. Steere stated that some, such as acoustic guitars, are not as loud as others. Adriana Iannuzzi stated that if a band is allowed, they would have a three-piece band with no amps or big speakers.

Tim Kane, Assistant Town Solicitor, stated that the motion can be worded as such. Councilor Burlingame stated that he is inclined to agree with the days requested and the DJ or band, but if there is an issue, the applicant will have to come back to the Council.

MOTION was made by Councilor Burlingame to APPROVE the following for Sticks Tavern, Vincent Iannuzzi, Putnam Properties, Inc., d/b/a Sticks Tavern, 417 Putnam Pike, Glocester, RI: **Eleven (11) Special Events, one day in May and two days in June, July, August, September and October**, to include an outdoor DJ or three-piece band with no bass. Said events to be held on either a Saturday, Sunday or Monday holiday from 1:00 p.m. to 6:00 p.m. not to exceed 4 hours, with no special events on concurrent days, subject to the following stipulations:

1. A Police detail will be required if requested by the Chief of Police.
2. No parking will be allowed on Route 44.
3. Must adhere to posted capacity.
4. Issues that arise from any events will require that the applicant return to the Licensing Board, with the Licensing Board's authority to revoke future Special Events.
5. A Special Event application must be filled out for each event.
6. Alcohol shall not be allowed anywhere except the areas previously authorized.

Seconded by Councilor G. Steere

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame
NAYS: 0
MOTION PASSED

VI. Consent Items - Discussion and/or Action

A. Town Council Minutes - February 26th, March 25th, April 4, 11, & 18th 2013

MOTION was made by Councilor Reichert to APPROVE the Town Council minutes of February 26, March 25, April 4, 11, & 18, 2013; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame
NAYS: 0
MOTION PASSED

VII. Unfinished Business

A. Board and Commissions

1. Appointments - Discussion and/or Action

a. Community Resource Commission -

1. Two Alternate one year terms
2. One Regular member term to expire 1/2015

Councilor W. Steere stated that no new applications have been received.

MOTION was made by Councilor Reichert to TABLE the appointment(s) to the Community Resource Commission; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame
NAYS: 0
MOTION PASSED

b. Local Board of Appeals for Building Code

1. One five year term to expire 6/2015

Councilor W. Steere stated that because this position is specific to an architect, the Town Solicitor has suggested removing from the table until a candidate is found. Tim Kane, Assistant Town Solicitor, noted that this Board does not meet regularly and if an issue comes up, the Council can resume their search. There was discussion regarding the makeup of this Board. Jean Fecteau, Town Clerk, stated that State Law regulates the membership.

MOTION was made by Councilor Burlingame to REMOVE from the TABLE the appointment to the Local Board of Appeals for Building Code for one five year term to expire 6/2015; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame

NAYS: 0

MOTION PASSED

c. Conservation Commission

One Alternate one year term to expire 2/2014

Councilor W. Steere stated that the Council has not received any recommendations for this appointment.

MOTION was made by Councilor G. Steere to TABLE the appointment to the Conservation Commission for an alternate one year term to expire 2/2014; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame

NAYS: 0

MOTION PASSED

B. Appointments

Tree Warden 2013- Discussion and/or Action

MOTION was made by Councilor G. Steere to TABLE the appointment of Tree Warden 2013; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame

NAYS: 0

MOTION PASSED

C. Transfer of Funds Request

1. Land Trust reimbursement update (Hawkins Property)

Discussion and/or Action: Councilor W. Steere stated that the chair of the Land Trust has met with the Finance Director and have determined that the Land Trust has approved \$128,616.79. Councilor W. Steere stated that the Land Trust minutes should be approved on May 8.

Councilor W. Steere further stated that the Land Trust now needs just to approve another \$35.90 of reimbursement, bringing the total reimbursement amount to \$128,652.69.

2. DPW: Hawkins Pond Project

Reimbursements to Public Works FA (Road Construction) Account

Discussion and/or Action:

MOTION was made by Councilor G. Steere to direct the funds to be received from the Gloucester Land Trust, for the work performed on the dam at Hawkins Pond by the Town of Gloucester Department of Public Works, to the Town's Road Construction Capital Fund [Fund FA].

Said amount includes all non-overtime labor by DPW employees plus an applicable percent for benefits plus use of DPW equipment charged at FEMA rates. The anticipated amount to be received is \$55,267.23;
seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame

NAYS: 0

MOTION PASSED

VIII. New Business

- A. Authorization: Contract for revaluation & reappraisal
Town of Gloucester & Vision Government Solutions, Inc.

Discussion and/or Action:

Councilor W. Steere stated that the Council has received the contract with Vision Government Solutions, Inc. The contract has been reviewed by the Assessor, Finance Director, and Atty. Kane. The Assessor is now requesting that the Council authorize the Council President to sign the contract.

MOTION was made by Councilor Burlingame to AUTHORIZE the Town Council President to sign the document entitled:

"Contract for the Revaluation and Reappraisal of Taxable and Exempt Real Property Located Within the Corporate Limits of Gloucester, Rhode Island, Effective December 31, 2013"

seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame

NAYS: 0

MOTION PASSED

- B. Emergency/Notification System - Discussion and/or Action

Discussion: Councilor W. Steere stated that the Council members have had time to review the information provided by Joseph DelPrete, Chief of Police, with regard to an emergency notification system for the Town.

Councilor Burlingame stated that he is comfortable with the proposal submitted by Code Red and suggested that the Council authorize the Police Chief to sign the contract. Councilor G. Steere inquired who will be paying for the system. Chief DelPrete stated that this is not appropriated in his budget for this year, however it may come under EMA Contracts, which he will discuss with the Finance Director.

Chief DelPrete asked the Council if they are in favor of a three-year contract, which is what the vendor is requesting. Councilor Burlingame responded in the affirmative. Tom Mainville, Finance Director, stated that there is the possibility that the system could be covered with EMA grant funds or the Council Contingency Fund could be used. Councilor Burlingame stated that we should do it for the three years and have Jason Rhodes, EMA Director, work on getting grants.

Councilor W. Steere stated that it is important that we implement the emergency notification system, adding that there are several options with regard to funding. Councilor Burlingame stated that the last resort would be to use the Police Chief's budget. Councilor G. Steere asked where do the funds go when a Police car is used for a road detail. T. Mainville replied that it goes into General Revenue.

Regarding Code Red's proposal, Chief DelPrete noted that they came down in price from \$7,500 to \$5,500 and would offer unlimited service, both emergency and non-emergency.

Councilor G. Steere asked if this system would overlap the school's system. Chief DelPrete stated that the Region has a system, but it only hits homes that have children in the school system, which is 40% to 50% of the population. Councilor W. Steere noted that this would not include the elderly. Councilor G. Steere asked if the Region has Code Red and we decide to go with Code Red, would we need two contracts? Councilor W. Steere stated that the Town's program would be more expansive and in his opinion would be worth the money.

Tom Mainville stated that before anything is decided, proper purchasing policies must be followed.

MOTION was made by Councilor Burlingame to AUTHORIZE the Chief of Police to pursue the vendor and bring a proposed contract back to the Council for consideration; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame

NAYS: 0

MOTION PASSED

- C. Appointments - Discussion and/or Action
 - 1. Seasonal Grounds Maintenance

Councilor W. Steere read the following request from the Public Works Director:

April 24, 2013

To: Honorable Town Council From: Gary Treml Public Works Director
RE: Appointment - Part Time Seasonal Lawn Maintenance

For the last few years the lawn maintenance at Town Hall, Police Station, and Sr. Center has been done by an outside contractor. In December, Doug Colwell retired from DPW after forty years of service. I contacted Doug to see if he would be interested in doing the lawn maintenance for the Town facilities. He is a very conscientious worker, familiar with and respectful of the town's equipment.

Doug agreed to work as the part time seasonal lawn maintenance person for this season. He will work approximately 8 hours per day 2 days per week for 23 weeks at the rate of \$20.93 per hour, which is the top step of the Driver/Laborer II pay scale, (16 hrs x 23 wks = 368 hrs. x \$20.93/ hr = \$ 7,702.24).

Doug will start the week of April 22, 2013 and work until approximately September 30, 2013.

I request you appoint Douglas Colwell to this position at the rate of \$20.93 with an effect start date of April 22, 2013.

Thank you,
Gary

(end of memo)

Discussion: Councilor Burlingame asked how much the outside contractor was paid. G. Treml replied that the outside contractor was paid almost the same amount at what is proposed for Doug Colwell. Councilor Reichert noted that D. Colwell still has his CDL license which may be helpful. Councilor W. Steere stated that this would be a temporary employee and asked how this would work.

T. Mainville replied that the position would be considered temporary seasonal worker with the same rate as the other DPW employee who cuts lawns. T. Mainville commented that D. Colwell will treat the equipment with care. Councilor Burlingame asked if the employee would be covered by the Town's insurance. T. Mainville replied in the affirmative. Councilor W. Steere stated that if we are paying Workmen's Comp, the total cost would be more than \$20.93 per hour. Councilor Burlingame stated that his concern is if the employee is hurt on the job, our insurance rates may go up. Councilor Burlingame pointed out that if a subcontractor is hired, the Town has no responsibility other than to pay for the service.

T. Mainville noted that we always had a seasonal employee in the past and it has only been the past two years that an outside contractor was used. Councilor G. Steere commented that Doug Colwell worked for the Town for forty years and always did a good job. The Council members agreed that since there is not much difference in cost, they are in favor of appointing a temporary seasonal employee.

MOTION was made by Councilor Burlingame to APPOINT Doug Colwell to the position of part time seasonal lawn maintenance at Town facilities for the 2013 season at the hourly rate of \$20.93 effective April 22, 2013; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame

NAYS: 0

MOTION PASSED

D. 4th of July Parade

1. Status report

Jean Fecteau, Town Clerk, stated that there is a special meeting scheduled for next Thursday for anybody who is interested in serving on the 4th of July Parade Committee. J. Fecteau stated that she has a list of potential volunteers who have called in response to the media coverage. J. Fecteau stated that hopefully, we can turn the parade over to the Committee after the meeting next week.

J. Fecteau stressed that the residents must get involved and participate in the parade itself. Rose LaVoie stated that she served as chair of the committee for ten years and feels that the biggest problem is that the State has so many rules and regulations regarding permitting. R. LaVoie stated that this turns people off.

2. Appointments

Discussion and/or Action:

Jean Fecteau, Town Clerk, stated that the list of volunteers contains registered voters as well as residents of other cities and towns. J. Fecteau stated that to be a voting member of the Committee, one must be a registered voter in Gloucester, however others can serve as ad hoc members. J. Fecteau further stated that there are currently four (4) members on the Committee and five (5) people on the list who wish to be appointed.

MOTION was made by Councilor G. Steere to APPOINT: Cadey Wholey; Ernie Little; Mike DeGrange; Lori Blanchflower; and Lauren Kitson; to the Parade Committee; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame

NAYS: 0

MOTION PASSED

IX. Department Head Report/Discussion Bds. & Commissions - Discussion

- A. Jean Fecteau, Town Clerk, stated that the Town Financial Meeting is Saturday at 1:00 p.m. at the high school.

- B. Gary Treml, Director of Public Works, reported that his paving schedule consists of Waterman Lake Drive, Terry Lane, Old Snake Hill Road and Trap Road. G. Treml noted that there may be several hundred thousand dollars coming from the State if the budget is approved and if so, the funds will be used to pave Aldrich Road, Old Quarry Road and Pinecrest Drive.

Treml noted that the Oil Mill Pond project is complete, adding that we will have no problem fulfilling our obligations for the grant.

- C. Joseph DelPrete, Chief of Police, stated that he has a large number of records, both hard files and computer files, which must be disposed of. Chief DelPrete stated that he would like to hire an intern on a part-time basis, no more than 16 hours per week, to handle this task. Chief DelPrete stated that he will discuss the budget aspect with Tom Mainville, Finance Director. Councilor W. Steere asked if this is something which has to be done. Chief DelPrete replied that record management is required per State Law.
- D. Linda Nichols, Community Resource Commission chair, spoke regarding the upcoming Energy Savings Lighting Fair at the Senior Center. L. Nichols distributed flyers which explain the event. L. Nichols stated that representatives from National Grid will speak to the public about energy saving programs and products which will be available. L. Nichols stated that the URI Master Gardener will also be there testing soil samples and distributing free seeds.

L. Nichols stated that she would like to advertise the event on Channel 10, if possible. L. Nichols stated that National Grid has donated a large quantity of products which will be given free of charge to anyone who volunteers to help the Resource Commission with the garden on Route 94.

Councilor W. Steere thanked Linda Nichols for her efforts in organizing this event.

X. Council Correspondence/Discussion

- A. Councilor W. Steere stated that correspondence was received from Adoption Rhode Island asking for the Town's participation in their annual Walk the Walk fundraiser which will take place on October 26th at Colt State Park.
- B. Councilor W. Steere stated that a letter was received from the State of Rhode Island Department of Revenue, Division of Municipal Finance stating that the Town's Notice of Proposed Property Tax Rate Change was reviewed and approved.
- C. Councilor W. Steere stated that a notice was received from the RI Land Trust Council stating that the Gloucester Land Trust has been selected to receive consulting support with regard to setting up their rules and regulations.
- D. Councilor W. Steere noted that Fiona Beltram has achieved the Gold Award from the Girl Scouts organization. Councilor W. Steere stated that the award will be presented on June 1st at Rhodes on the Pawtuxet. Jean Fecteau, Town Clerk, stated that she will

prepare a Citation for this accomplishment. J. Fecteau also stated that a group of Girl Scouts has performed community service and she would like to present them with a Citation also.

- E. Councilor W. Steere stated that the Council has received literature from Marie Sweet with regard to stone walls in Burrillville.
- F. Councilor W. Steere stated that correspondence was received from the Trust concerning employee benefits.

XI. Open Forum

- A. Rose LaVoie expressed thanks to all those who supported the Heritage Society by attending the Gala. R. LaVoie stated that over \$6,500 was raised.

LaVoie spoke about the Parade volunteers, stating that it is nice that young people are getting involved. R. LaVoie stated that she will attend the meeting next week and help in any way she can.

LaVoie stated that Fiona Beltram's Girl Scout award is an example of what wonderful citizens the Beltrams are, from Henry and Glennis to their children and grandchildren. R. LaVoie noted that Henry and Glennis were honored as Citizens Extraordinaire at the Gala several years ago.

LaVoie mentioned a commentary from the Observer regarding the lack of cooperation between the School Committee and Town Government in North Smithfield. R. LaVoie stated that we are lucky that we have open communication between our Council and School Committees.

LaVoie stated that she served on the former Chepachet Village Committee and commented that Dave Balfour worked very hard for very little money. R. LaVoie expressed her opinion that if we can find funding for things such as Code Red and grass mowing, why couldn't we find \$20,000 for D. Balfour's position?

- B. Marie Sweet also thanked those who attended the Gala. M. Sweet noted that this Saturday at the Mason Reuben House, URI Master Gardeners will perform soil testing at the medicinal garden. Also, M. Sweet stated that the Conservation Commission will be distributing free seedlings to residents.
- C. Linda Nichols suggested that the Council get all Board and Commission members together annually to allow them to introduce themselves and find out what each other does.
- D. Walter Steere, Jr. urged all to attend the Financial Town Meeting, stating that there may be people there who will try to raise our taxes. W. Steere, Jr. commented that the Town has done a good job with the budget and he would hate to see it change at the last minute.

W. Steere, Jr. spoke about health care, stating that if a part-time employee works a certain number of hours in a year, the Town may have to pay for a health insurance family plan the following year. W. Steere, Jr. stated that we must be careful as there are large penalties for not doing this.

- E. Councilor Burlingame also stressed the importance of attending the Financial Town Meeting, stating that there are members of the School Committee who do not accept the Town's proposal of a \$90,000 set aside. Councilor Burlingame stated that he has information that some members may want the full \$235,000 added back into the budget, despite the fact that the School Department has a 2.3 million dollar surplus. Councilor Burlingame urged taxpayers to attend the meeting and support the budget.

XII. Seek to Convene to Executive Session

- A. Pursuant to R.I.G.L. 42-46-5 (a) 2 Potential Litigation - Discussion and/or action

MOTION was made by Councilor G Steere to convene to Executive Session pursuant to R.I.G.L. 42-46-5(a)2 Potential Litigation; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame

NAYS: 0

MOTION PASSED

XIII. Reconvene Open Session - Disclosure of Votes Taken in Executive Session

MOTION was made by Councilor Burlingame to reconvene Open Session (no votes were taken in Executive Session) and to seal the minutes of Closed Executive Session; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame

NAYS: 0

MOTION PASSED

XIV. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 9:22 p.m.;
seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the May 16, 2013 Town Council Meeting.

At a Special Meeting of the Town Council holden in and
for the Town of Gloucester on **May 20 , 2013**

I. Call to Order

The meeting was called to order at 6:45 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; Edward C. Burlingame; George O. (Buster) Steere; and Steven A. Sette

Members Absent: William E. Reichert, Vice-President

Also present: Mike DeGrange, Parade Committee Chair

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Parade Committee

A. Amend Charge:

Additional alternate positions - Discussion and/or action

MOTION was made by Councilor G. Steere to amend the charge of the Parade Committee from 1 alternate to 3;
seconded by Councilor Sette.

Discussion: None

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

MOTION was made by Councilor G. Steere to APPOINT Julie Bonoyer and Stephanie Westgate as Alternates to the Parade Committee;
seconded by Councilor Sette.

Discussion: None

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Accept Resignation - Discussion and/or action

MOTION was made by G. Steere to ACCEPT the resignations of Sue Monaghan and Sherran Little; seconded by Councilor Sette.

Discussion: None

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. Appointments - Discussion and/or action

MOTION was made by Councilor G. Steere to APPOINT William Cain and Christine Bates as regular members and Stephanie Westgate, Kelly Henry & Julie Bonoyer as Alternate members; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame, and Sette.

NAYS: 0

MOTION PASSED

V. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 7:00 p.m.; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the July 18, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **June 6, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; George O. (Buster) Steere;
Edward C. Burlingame; and Steven A. Sette.

Member Absent: William E. Reichert, Vice-President.

Also present: Jean Fecteau, Town Clerk; Tim Kane, Assistant Town Solicitor;
Thomas Mainville, Finance Director; Gary Treml, Director of Public
Works; and Joseph DelPrete, Chief of Police.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

Councilor Sette requested a moment of silence in recognition of D-Day.

IV. Open Forum for Agenda Items - none

V. Public Hearing

A. Exception to the Ordinance Regulating the Issuance of Building Permits

1. Owner & Applicant: Edmund Marceau & Kerri Shea

Location: Assessor's Plat 10D, Lot 34

To build a residence on an existing parcel of land off Grant's Way

Discussion and/or action

Councilor W. Steere stated that this Public Hearing was advertised in the Valley Breeze on May 23, 2013.

Councilor W. Steere DECLARED the Public Hearing OPEN and read the following opinion of the Fire Chief with regard to safety vehicles:

Re: Request for exception to construct a dwelling off Grants Way, assessors plat 10D lot 34.

I have reviewed the material submitted and viewed the proposed site to request an exception to construct a dwelling off Grants Way, assessors plat 10D lot 34.

There is an existing driveway off Grants Way leading to the proposed site. The driveway appears to have a suitable road base (gravel) to support the weight of emergency apparatus.

There is adequate width and clearance for emergency vehicles to enter and exit the proposed dwelling.

Based on the materials submitted and reviewing the site, there are no objections from this office to construct a dwelling off Grants Way, assessors plat 10D lot 34.

Robert G. Dauphinais, Chief
Chepachet Fire
(end of memo)

Councilor W. Steere stated that we also have an opinion from the Public Works Director, as follows:

April 9, 2013

Re: Request for exception to construct a dwelling on AP 10D Lot 34 off Grants Way

Mr. Marceau:

I have visited the proposed site and reviewed the information submitted for the Exception to the Ordinance Regulating the Issuance of Building Permits to construct a dwelling on AP 10D Lot 34 off Grants Way.

There is an existing driveway off Grants Way leading to the proposed site. Based on the material submitted and viewing the proposed site I have no objections to constructing a dwelling on AP 10D Lot 34.

Gary Treml
Public Works Director
(end of memo)

Councilor W. Steere read the following Planning Board opinion of May 6, 2013:

**Recommendation to the Town Council
Exception to the Ordinance Regulating the Issuance of Building Permits**

- 1. Ed Marceau and Kerrie Shea, owners**, property located along Grants Way, further described as Assessor's Plat 10D, Lot 34

MOTION was made by Member Pitocco for a positive recommendation to the Gloucester Town Council regarding an application for an exception to the ordinance regulating the issuance of building permits by Applicants and Owners, Edmund Marceau and Kerrie Shea, for property located along Grant's Way and further described as Assessor's Plat 10D, Lot 34, as shown on the provided plans. The applicant seeks to install a driveway off a private Right of Way (Grant's Way) for access to an existing residential lot (Lot 34). The proposed new driveway will utilize an existing shared Right of Way (Grant's Way).

Granting this exception will allow the owner to access lot 34 via Adelaide Road and Grant's Way, as it is the only practical access to the property. In making this

recommendation, the Planning Board has considered the following: **1)** that the proposed access meets or exceeds the Rules and Regulations adopted by the Gloucester Planning Board; **2)** that the recommendation by the Chepachet Fire Chief, currently pending, is forthcoming; **3)** the plans submitted by the applicant, which support the feasibility of the access request; **4)** That the present condition of the improved portion of the private driveway/ROW are adequate for public safety vehicle access; **5)** that the proposed improvements are only a driveway on Lot 34 and will provide adequate physical access to the property by the public safety vehicles; and **6)** The Report of the Technical Review Committee, dated May 1, 2013, that demonstrates appropriate Town staff have reviewed and support the application for access.

The proposed plan is found to be consistent with the Gloucester Comprehensive Community Plan Section 3.2.1 "To preserve, enhance and protect Gloucester's rural character and sense of place;" Section 3.2.2 "To encourage responsible land use decisions by public officials and public bodies;" Section 4.2.1 " To maintain, protect and enhance Gloucester's desirable living attributes;" Section 6.2.4 "To prevent the loss, destruction or misuse of natural and cultural resources in order to preserve the special character and sense of place of Gloucester;" and Section 9.2.2 "To create, maintain and preserve a safe and efficient multi-modal circulation system."

The Planning Board recommends that the following conditions be included in any approval of this application:

- a) That this private driveway/ROW will remain as a private way, that the Town not take any responsibility for maintenance, and that the deed of record include language that the Town of Gloucester will not be responsible for maintenance of any nature, inclusive of snow and ice control, and that this language will remain part of the record if title passes in the future. A copy of this modified deed is to be presented to the Building Official, Town Solicitor, and the Director of Public Works prior to the issuance of a building permit;
- b) That it is the applicant's sole responsibility to seek and receive all permissions, clearances and/or approvals from owner(s) of the private driveway/ROW prior to making any alterations or using this road(s) or access to this property.

MOTION was seconded by Member Gross.

DISCUSSION: Member Furney said that, out of an abundance of caution, in light of the fact that there were cars stored on the lot, she suggests the owners have the soil tested. The Board agreed to include this recommendation for soil testing as a condition of approval.

VOTE: Ayes - Unanimous (Charette, Calderara, Furney, Laplante, Pitocco, Folcarelli, Gross)

(End of minutes)

Councilor W. Steere asked if anyone wished to speak regarding this application.

Councilor Sette spoke regarding the Planning Board's recommendation for soil testing, asking if this should be a condition of approval. Tim Kane, Assistant Town Solicitor, replied that this is just a recommendation, adding that if the applicants wish to build on the property, the soil would have to be tested for the well anyway.

Councilor G. Steere expressed his opinion that the Planning Board had no business making this recommendation. Councilor Burlingame noted that the recommendation is not included in the Council's proposed motion. It was stated that in order to obtain a Certificate of Occupancy, there would have to be an approved water source.

Councilor W. Steere asked if anybody else wished to be heard. Hearing none, Councilor W. Steere CLOSED the Public Hearing.

MOTION was made by Councilor Sette to GRANT the Exception to the Ordinance Regulating the Issuance of Building Permits, Owner & Applicant: Edmund Marceau & Kerri Shea, Location: Assessor's Plat 10D, Lot 34; Applicant seeks this Exception for access for one (1) proposed dwelling off Grant's Way. Said Grant is subject to the following stipulations: (The Planning Board recommends that the following conditions be included in any approval of this application):

- 1) That this private driveway/ROW will remain as a private way, that the Town not take any responsibility for maintenance, and that the deed of record include language that the Town of Gloucester will not be responsible for maintenance of any nature, inclusive of snow and ice control, and that this language will remain part of the record if title passes in the future. A copy of this modified deed is to be presented to the Building Official, Town Solicitor, and the Director of Public Works prior to the issuance of a building permit;
- 2) That it is the applicant's sole responsibility to seek and receive all permissions, clearances and/or approvals from owner(s) of the private driveway/ROW prior to making any alterations or using this road(s) or access to this property.

Seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VI. Consent Items - Discussion and/or Action

A. Town Council Minutes - March 20 & May 16th, & May 20th, 2013

B. Finance Director's Report - March & April 2013

MOTION was made by Councilor Sette to TABLE the Town Council Minutes of March 20 & May 20, 2013; to APPROVE the Town Council minutes of May 16, 2013, and to ACCEPT the Finance Director's reports for March & April 2013; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VII. Unfinished Business

A. Boards and Commissions

1. Appointments - Discussion and/or Action

a. Community Resource Commission -

1. Two Alternate one year terms
2. One Regular member term to expire 1/2015

Linda Nichols, chair of the Community Resource Commission, stated that there are three (3) individuals who have expressed interest in these positions. L. Nichols stated that she suggested that they attend the next meeting of the Commission to see if it is something they would like to do.

MOTION was made by Councilor Sette to TABLE the appointments to the Community Resource Commission; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

b. Conservation Commission

One Alternate one year term to expire 2/2014

Councilor W. Steere stated that the chair of the Conservation Commission is still seeking a volunteer for this position.

MOTION was made by Councilor G. Steere to TABLE the appointment of one alternate member to the Conservation Commission; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Planning Board
One 5-year term to expire 3/2017

It was noted that there are no Talent Bank applications for this position at this time.

MOTION was made by Councilor Sette to TABLE the appointment to the Planning Board for one 5 year term to expire 3/2017; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VIII. New Business

A. Payments for Police Details on State Projects - Discussion and/or action

Joseph DelPrete, Chief of Police, stated that this issue was brought up by the Police Union. Chief DelPrete stated that his Department deals with DOT, National Grid and Verizon with regard to Police Details, and as a result the officers sometimes do not get paid for several months. Chief DelPrete noted that there is presently \$70,000 outstanding to the Gloucester Police and other local police departments.

Councilor W. Steere noted that there is a rental fee for police cars at the construction sites. Chief DelPrete replied that these fees are also outstanding. Councilor Sette asked if this can be treated like a reimbursable grant. In response, Tom Mainville read the following memo into the record:

June 6, 2013

To: Town Council

Re: Agenda Item VIII. A. on June 6, 2013 Town Council meeting agenda:

Payments for Police Details on State Projects

Presently, road detail are staffed by various individuals not all of whom are Gloucester Police Officers. For example, details are also worked by dispatchers and active or retired Police Officers from other towns.

Customers requesting road details are billed after the details are performed. Our current practice is to pay the individuals who performed the details at the time the Town receives payment for those details.

Individuals are not assigned or required to work details. It is very important that everyone understand that they volunteer to work details.

Also, the Town derives no revenue from and in fact gets no benefit from the services of the individuals who work details.

The town does receive revenue for rental of police vehicles but that is a separate issue as the town does not front any money for the use of those vehicles.

However, if we were to pay individuals for details in the payroll following the period in which the work is performed, the Town assumes the cash flow problem and the risk of non-payment. My understanding is that, presently, the amount due from the state alone is approximately \$60,000 - some of it since March which is more than two months. I am shocked and somewhat amazed at this lapse in payment as we, of course, all know that the State of RI is flush with money! Seriously, if this were June 30, we would have a \$60,000 expense with no off-setting revenue.

If we change the current practice, any loss that will be incurred will be charged to the Police Department budget.

Presently, those that perform the details have a vested interest in making sure the Town is paid for those details. That will disappear if the current practice is changed. Again, the Town will assume all the risk. Prior to 1997, Gloucester paid details in the payroll following the dates the service was performed. It was changed to the current practice because the Town was not getting paid in even a reasonable timely fashion.

I am told that other Towns pay details in the payroll following the dates of service and, in some cases, have funds set aside for that purpose. Whether that is true or not, unless those funds came from a 100% grant or a donation, they had to come from the taxpayers. Quite frankly, there are times we should not be concerned about what other Towns do. We should do what is best for the Gloucester taxpayers. This is one of those times.

Finally, whoever on the Council votes for this will be asking the taxpayers to assume all the risk in a situation where the Town receives no benefit.

Tom Mainville
(end of memo)

Discussion: Councilor W. Steere asked what is done with the funds generated from the rental of police vehicles. T. Mainville replied that the funds go into Department Revenue to offset the tax levy. T. Mainville further stated that if these funds were used for something like this, we would have to raise the tax levy. T. Mainville stated that police details are voluntary and part of the deal should be that they have to wait to be paid. Councilor W. Steere expressed concern that if nobody volunteered, other towns would come in, resulting in reduced revenue from the rental of the cars.

Councilor Sette stated that 99.9% of the time, he agrees with T. Mainville, however, this time he does not, adding that he is in support of the Police Officers who perform the details. Councilor Sette stated that the Town should be more forceful with the companies, such as National Grid and Davey Tree, that are late in paying their bills.

Councilor G. Steere stated that this is not our problem and should be treated like private enterprise. Councilor G. Steere noted that this is a police detail, not work for Gloucester, and the officers are not forced to do it. Councilor G. Steere stated that the Town used to pay the officers and then get reimbursed, adding that this was changed for a reason.

Councilor Sette asked how long it takes to get paid back from FEMA after a storm, or how long it takes to get reimbursed for a grant? T. Mainville stated that it once took a couple of years to get paid by the State. Councilor Sette noted that we do the work and eventually get the money. T. Mainville stated that the Council can do as they wish, but he wants it on record what the consequences are. Councilor G. Steere reiterated that it is not our problem as the Town has nothing to do with providing police details for Verizon, D'Ambra, etc.

Councilor Sette stated that he knows the Community Liaison for National Grid and asked the Council if they would like him to call and speak to him about this situation. Councilor Sette stated that the other companies involved must have similar contact people and commented that maybe now is the time to pick up the phone and call them.

Tom Mainville again stated that it would be a big mistake to change the current practice. Councilor W. Steere stated that this is just a discussion and no decision will be made tonight. Councilor W. Steere noted that the Council has just received T. Mainville's memo and has not had time to digest it.

Councilor Burlingame noted that he was on the Council in 1997 when the policy was changed because the Town was "getting burned". Councilor Burlingame stated that we have to ask ourselves the question "what has changed?" Councilor G. Steere suggested making a few phone calls to the companies who are late in payment and tell them that they will have to find other police details. Councilor G. Steere commented that he is glad that our officers are getting these opportunities, but it is not up to the taxpayers to fund them.

Dave Steere, Budget Board chair, asked if police details are in D'Ambra's contract, or are they separately paid by DOT. D. Steere stated that the contractor submits a monthly requisition and gets paid by DOT. Councilor Sette replied that nobody has made a phone call to ask that question.

Councilor G. Steere asked Chief DelPrete who is billed, D'Ambra or the State. Chief DelPrete replied that for this project, the payments are from DOT. Chief DelPrete noted that there are several additional projects coming up in the next couple of years. Chief DelPrete stated that this is something that has reoccurred and has now come up in contract negotiations.

D. Steere stated that there is something called the Prompt Payment Act and asked if this would apply to the State. Tim Kane, Assistant Town Solicitor, stated that governmental entities cut checks once or twice a month, which creates a lag time after an invoice is submitted. Councilor W. Steere stated that he understands that, but 90 days is a long time. Chief DelPrete noted that it is not 90 days, but usually 6 to 7 weeks. Chief DelPrete stated that he knows there have been problems in the past, but not since he has been there.

After further discussion, there was Council consensus that Councilor Sette will contact National Grid and Councilor W. Steere will get in touch with the Department of Transportation. Councilor Sette asked if anyone will speak to the resident engineer for D'Ambr Construction. Chief DelPrete replied that he will contact him.

B. Requests from Parade Committee

Joseph DelPrete, Chief of Police, stated that in preparation for the upcoming parade and related events, he recently met with the Fire Chiefs to discuss matters of public safety. Chief DelPrete stated that there are concerns with regard to the road conditions, sidewalks, etc. Chief DelPrete stated that he has been assured by Ray Goff, Town Planner, that the sidewalks will be completed prior to July 4th, however, parking remains a concern.

1. Town Carnival - Discussion and/or action

Mike DeGrange, chair of the Parade Committee, stated that the Committee has been discussing ways to raise funds for future 4th of July Parades and to hopefully bring back the fireworks display. M. DeGrange brought up the possibility of having a carnival, adding that the Town used to do this years ago. M. DeGrange stated that the Committee has a generous offer from a local company which conducts carnivals.

Regarding possible locations for the event, M. DeGrange suggested the Kent Property on Putnam Pike. M. DeGrange stated that he has been told that the field is wet, but after a recent rainstorm, he stated that it was not bad. M. DeGrange pointed out that the carnival would be geared toward families with young children. Regarding parking, M. DeGrange stated that the former State Police Barracks could be used if some of the construction equipment is moved out.

M. DeGrange suggested that the carnival begin after the road race on the 4th, continuing throughout the evening, again on Friday evening, and ending on Saturday during the day. M. DeGrange asked Tim Kane, Assistant Town Solicitor, if the property could be used for this type of event. T. Kane replied that there is nothing in the deed which would restrict the Town from hosting a community event.

Councilor Sette stated that it is great that the Committee is thinking of ways to raise funds for the future, however he feels that it would be "spreading itself too thin" trying to have the carnival on same weekend as the Parade. Councilor Sette expressed his opinion that September or October would allow more time for planning and would allow the Committee to concentrate on the Parade. Councilor Sette further stated that there may be other venues which would be more conducive regarding parking. M. DeGrange replied that it was hoped to have the carnival in a central location this year so that people will be aware of it, then move it to another location in the future.

Councilor G. Steere stated that his biggest concern for this year is the condition of the road. Councilor G. Steere also questioned having the carnival for three or four days. Councilor G. Steere stated that he does like the idea of gearing the event toward younger children as opposed to teenagers.

Councilor W. Steere echoed the concerns regarding the location, the condition of the road and the lack of parking. Councilor W. Steere stated that our Public Safety Department will be spread pretty thin on those days due to the parade and added security. Councilor W. Steere also wondered if a Public Hearing would be required to allow the neighbors to express their opinion. Councilor W. Steere stated that another time of year it would be a good fund-raising opportunity, but there are too many extenuating circumstances for the 4th of July.

Tim Kane stated that it is up to the Council's discretion, but it would be a good idea to have a Public Hearing as this would impact the residents in the area. Councilor G. Steere stated that there is not enough time to advertise a Public Hearing before the 4th.

Councilor Burlingame feels that the carnival is a good idea, but the Village is in a state of disarray and this is probably not the time to do it.

Marie Sweet asked if the carnival could be held in conjunction with Heritage Day, which is scheduled for September 22nd. The Council members agreed that this date would be better as the road construction should be further along.

Tom Tatro, member of the Parade Committee, stated that all of the concerns are valid, but pointed out that a children's carnival with a few hundred people would be easier to handle than a parade with 10,000 people. T. Tatro further stated that many of the parade-goers will return to the carnival, as well as people at the campgrounds. T. Tatro noted that in September, children are back in school and the campers are no longer in Town.

Bill Dupuis, 817 Durfee Hill Road, asked if the Parade required a Public Hearing. The response was no. B. Dupuis asked if the carnival would be part of the Parade and if so, would not need a Public Hearing. Councilor W. Steere replied that the carnival is something totally different and public safety must be considered. B. Dupuis expressed his opinion that the carnival is a good idea and the Parade Committee should be given a chance.

Bill Cain, of Harmony, asked if the idea would be more feasible if the carnival were downsized from the original plan. Councilor G. Steere suggested that the carnival take place on the 4th only to incorporate it with the other events that day. Councilor G. Steere stated that by doing so, a Public Hearing may not be necessary.

Councilor W. Steere reiterated his concern regarding the physical condition of the proposed location as well as the issue of liability.

Aaron Dupuis, of Durfee Hill Road, stated that there will already be safety protocol in place for the Parade and feels that the carnival could also be held that day. Councilor W. Steere stated that this would be an issue for the Police Chief to address. A. Dupuis expressed his opinion that the carnival is a good idea and there are people willing to do the work.

Rose LaVoie stated that the carnival would keep people in town and give the young people something to do. R. LaVoie further stated that if the Committee can work it out, she does not

see why the Town cannot. R. LaVoie also stated that she does not feel that a Public Hearing would be necessary for such a small event.

Tom Mainville, Finance Director, stated that this is the best idea since the Town sponsored fireworks, but asked if anyone has consulted the Trust regarding liability. M. DeGrange distributed copies of the proposal which explains the vendor's insurance. Tim Kane, Assistant Town Solicitor, explained that the Trust insures all of the Town's property up to 3 million dollars. Councilor W. Steere asked if an additional rider would be required for this type of event. T. Kane replied that we could contact the Trust and inquire. Councilor W. Steere expressed concern that the Trust will inspect and see that the road is under construction.

Joseph DelPrete, Chief of Police, stated that this is a great idea, but noted that on the 4th of July we have many challenges. Chief DelPrete commented that two weeks ago, there was a barn sale on Main Street which created problems concerning traffic and parking. Regarding parking at the former State Police Barracks, Chief DelPrete stated that this will be where the command post will be set up on the 4th. Chief DelPrete expressed his opinion that any other day would be better to hold a carnival.

Mike DeGrange spoke about alternate locations for the event, stating that the Committee chose the Kent Property for this year only, due to its central location and visibility. M. DeGrange stated that we could capitalize on a "captive audience" and keep people in Town, to the benefit of local businesses. M. DeGrange noted that one of the Committee's goals is to raise enough money to bring fireworks back to the Town next year.

Councilor Sette recommended the three-day weekend in August as kids will still be out of school. Councilor Sette noted that this would allow enough time to advertise the event.

Councilor W. Steere stated that there are other forms of fund-raising. M. DeGrange responded that the charge of the Parade Committee allows them to look at any and all opportunities for fund-raising.

Julie Bonoyer, Parade Committee member, noted that years ago, the Town traditionally held a carnival in conjunction with the 4th of July Parade. Regarding advertising for another time of year, J. Bonoyer stated that funds would have to be spent, whereas on the 4th of July, advertising would not be necessary as people are already here for the parade.

J. Bonoyer noted that when the parade ends, everybody bolts for their cars, causing a traffic jam and if there was a carnival going on, some people would allow their children to participate while waiting for the traffic to subside. J. Bonoyer stated that even if it was just held on the 4th and not the whole weekend, it would help all around.

Councilor Sette stated that his idea for advertising would be to have a float in the middle of the parade which would be free advertising. J. Bonoyer disagreed, stating that most people will not remember in September or October that they saw a carnival advertised in July.

Councilor W. Steere stated that it really comes down to safety, which is what everyone is concerned about. Councilor W. Steere also expressed concern regarding the wet condition of the proposed location. J. Bonoyer stated that she runs a food truck company and noted that platforms are sometimes used to set up equipment on wet property. J. Bonoyer commented that nobody on the Committee would do anything to jeopardize the property or the Town in general. Councilor W. Steere expressed his opinion that Public Safety would be stretched very thin. Councilor W. Steere commended the Parade Committee for their work over the last couple of weeks, but still feels that the carnival is a big project with many worries for the Town.

Lori Blanchflower, member of the Parade Committee, addressed the issue of parking, stating that the people attending the parade will be parked somewhere and the carnival will not attract more people who need to find a place to park. L. Blanchflower stated that people attending the parade will walk their children over to the carnival afterwards, giving the children something to do while helping the Parade Committee raise funds for future events.

Rose LaVoie spoke about public safety, stating that people should be accountable for what they do. R. LaVoie stated that people will be in Town anyway and the carnival would only be a small affair. If the Kent Property is unsuitable, R. LaVoie recommended Gloucester Memorial Park.

Councilor W. Steere stated that many things will have to be thought out, such as the cost of Police details and public bathrooms, as well as who will clean up the site after the event.

Edna Kent pointed out that the field is not ready for any type of heavy vehicles. E. Kent stated that the field is primarily clay, which, once it gets wet, takes four to five days to dry out enough to support a vehicle. E. Kent stated that this should be considered along with the safety issue and the current road conditions.

Councilor Sette suggested using the parking lot and field behind the Town Hall as an alternate venue. Councilor W. Steere agreed that this is a good idea, but the Town will lose some of its parking area. Councilor Sette pointed out that the location would be safer, adding that after the road race in the morning, traffic becomes heavy on Putnam Pike. Councilor Burlingame stated that this makes sense because years ago, a carnival was held on the property in front of the Town Hall. Councilor G. Steere stated that we could try it this year for the one day, the 4th.

MOTION was made by Councilor Sette to APPROVE a Town Carnival on July 4, 2013 on the grounds in back of the Town Hall, provided that it meets the specifications of the vendor; that the plan is approved by the Chief of Police and the Fire Chief; and that the Finance Director and Solicitor determine that the insurance is sufficient; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Road striping exemption - Discussion and/or action

Mike DeGrange, Parade Committee chair, stated that he began to pursue the possibility of having the road striped for the parade, but realized that a federal exemption would be required. M. DeGrange suggested that the Council adopt a Resolution to support this request. Councilor Sette recommended that the Council reach out to our Congressional and Senate Delegations for assistance. There was Council consensus to send letters to our representatives. It was stated that Bristol is allowed to stripe their parade route.

3. School marching band participation - Discussion and/or action
Foster/Glocester Schools & other communities

Mike DeGrange stated that he has spoken with both the Middle School and High School Music Directors regarding the possibility of the school bands marching in the 4th of July Parade, but the response was not positive. Councilor Sette asked if perhaps a portion of the band could perform. M. DeGrange stated that the Committee would be happy to see whatever they can get.

M. DeGrange pointed out that school does not get out until the week before the parade, therefore most of the band members would probably be available. Councilor G. Steere stated that the Council should send them an invitation, as well as high school bands from other communities. Councilor G. Steere commented that he would rather see high school bands in the parade instead of bands that are paid to march.

C. Winsor Park - Right of Way clean up progress - Discussion and/or action

Councilor Burlingame stated that a year ago, he was contacted by Steve Winsor with regard to the condition of the right-of-way. Councilor Burlingame stated that he went to view the property and noted that it is wider than the 15 feet allowed, there are huge uprooted tree trunks along the side and there are 2-foot sections of pine trees strewn about.

Councilor Sette stated that he also spoke with Steve Winsor about this and asked if we have any recourse. Tim Kane, Assistant Town Solicitor, stated that it is clear what the property owner's obligations are and he can send him a letter urging him to comply. Councilor W. Steere stated that he has also viewed the site and agreed that it is a total mess.

MOTION was made by Councilor Burlingame to send a letter to the property owner requesting that the property be restored per the right-of-way agreement; seconded by Councilor Sette.

Discussion: None

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

D. Town Council Meeting Schedule: July & August 2013- Discussion and/or action

Councilor Sette noted that the meeting date of July 4th will have to be changed and asked if the Council wished to consider having only one meeting in the months of July and August. After discussion, it was decided to have one meeting in July, but to keep the August schedule as it stands. It was also stated that this change in schedule will be advertised in the Bargain Buyer to notify the public.

MOTION was made by Councilor Sette to eliminate the first meeting in July (July 4th) and to have only one meeting in the month of July (July 18th), and to keep the regular meeting schedule for August; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

E. Family Medical Leave Request - Discussion and/or action

Councilor W. Steere stated that the Council has received the following request for Family Medical Leave:

May 30, 2013

To: Town Council

Re: Family Medical Leave

Due to a recent surgery, I am requesting time off under the Family Medical Leave Act (FMLA). I anticipate needing the time off under the FMLA starting at the end of May and returning to work approximately the first week of July.

Thank you for your understanding and consideration.

(End of request)

MOTION was made by Councilor Burlingame to AUTHORIZE the individual (a Public Works employee) to be approved for the Family Medical Leave Act (FMLA) effective as needed; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

F. Town of Gloucester: Purchasing Policy(Re: Small Purchases) - Discussion and/or action

Councilor G. Steere requested that this item be tabled until the next meeting.

MOTION was made by Councilor G. Steere to TABLE Town of Gloucester: Purchasing Policy (Re: Small Purchases) until the next Town Council meeting; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

G. Boards & Commissions

1. Resignation

- a. Budget Board- Discussion and/or action
One unexpired 3-year term to expire 1/2015

Councilor W. Steere stated that the Clerk has received and filed the resignation of Pat Bowie from the Budget Board.

MOTION was made by Councilor G. Steere to ACCEPT, with regret, the resignation of Pat Bowie from the Budget Board for a three year term to expire 1/2015, effective immediately; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

2. Appointments

- a. Local Board of Appeals
5-year term to expire 6/2018 - Discussion and/or action

Councilor W. Steere stated that this appointment is for the expired term of Peter Scorpio from the Local Board of Appeals.

MOTION was made by Councilor Sette to REAPPOINT Peter Scorpio III to the Local Board of Appeals for Building Codes for a 5-year term to expire 6/2018; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

- b. Budget Board - Discussion and/or action
One unexpired 3-year term to Expire 1/2015

Councilor W. Steere explained that this is for the vacancy created by the resignation which was accepted this evening. Jean Fecteau, Town Clerk, stated that she has several names in the Talent Bank, but wishes to contact the individuals to ask if they are still interested.

MOTION was made by Councilor Burlingame to TABLE the appointment to the Budget Board, for one unexpired 3-year term to expire 1/2015; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

- H. Authorization: Consultant Contract
Comprehensive Community Plan Update - Discussion and/or action

Councilor W. Steere stated that the Solicitor has prepared a contract between the Town of Gloucester and Sam Shamoon, adding that the Council now needs to authorize the Town Council President to sign the contract.

Discussion: None.

MOTION was made by Councilor Sette to AUTHORIZE the Town Council President to sign the document entitled: Agreement, Professional Planning And Consulting Services Comprehensive Plan Update Town of Gloucester, Rhode Island between the Town and Consultant, Sam Shamoon, AICP. Contract is in the amount of \$32,000.00 and will be dated June 6, 2013;
seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

- I. Kent Property
Septic System Design & Site Plan (Costs) Discussion and/or action

Councilor G. Steere stated that the Kent Property Oversight Committee has discussed different options for a septic system on the property and has voted in favor of a larger system which would accommodate events such as a carnival, Heritage Day, etc. Councilor G. Steere stated that the next step is to approve getting the design and until that time, we cannot move forward with plans for a building. Councilor G. Steere stated that Norbert Therrien has given a proposal of \$1,500 for a complete design.

Councilor G. Steere asked if this has to go out to bid, stating that the proposal is much less than anyone else would submit. Councilor G. Steere commented that Mr. Therrien gave a low quote because he wishes to help the Town out. Councilor Sette asked if the Council had appropriated funds for this. Councilor G. Steere replied that \$500 was appropriated for a soil analysis which has been done.

Councilor W. Steere asked if it has been decided what type structure will be built on the property. Ray Goff, Town Planner, replied in the negative, adding that this is the first step of the project. Councilor G. Steere concurred, stating that we will need this information to move forward, regardless of what direction will be taken. Councilor W. Steere expressed concern regarding where the funding will come from.

R. Goff stated that the \$500 for the soil analysis and the \$1,500 for the septic design will get the ball rolling. Councilor W. Steere expressed concern that the Council will be asked for more money in the future. Councilor W. Steere noted that most of the funding for the Dorr Museum was grant money. R. Goff stated that at this point, it is speculation as to what will happen with this project in the future.

MOTION was made by Councilor Sette to appropriate an additional \$1,500 from the Council Contingency Fund for a septic system design study and site plan for the Kent Property; said appropriation constitutes an exception to the Purchasing Policy; seconded by Councilor Burlingame.

Discussion: Tom Mainville, Finance Director, stated that this is an exception from the Purchasing Policy and asked Tim Kane, Assistant Town Solicitor, for his opinion. T. Kane replied that the amount requested is below the threshold, therefore is not a problem.

Councilor Sette noted that when the Committee was first established, they informed the Council in writing that they had chosen Mr. Therrien because he was the least expensive of all the people they asked. Councilor G. Steere stated that most companies would get between \$3,500 and \$4,500 for a septic design with an additional cost for inspections.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

- J. Licensing Board
- Snows Clambox - Special Events
- Amend Motion of April 11, 2013 - Discussion and/or action

Councilor W. Steere stated that when the Public Hearing for Licensing Special Events was discussed at a public hearing on April 11, 2013 a motion was made (specific to Snows Clambox) granting the events for specific days. Due to inclement weather they could not use one of the days granted and would like another day.

Jean Fecteau, Town Clerk, recommends instead of granting another motion with specific days, the Council should grant a number of events from April to September. J. Fecteau noted that the applicant will still have to apply for a license prior to each event and the Police Chief will be notified of the details of the event.

MOTION was made by Councilor Sette to AMEND the motion of April 11, 2013 to read as follows: MOTION was made to APPROVE the Special Events requested by Robert Zalewski, RMZ, LLC, d/b/a Snow's Clambox, 2461 Putnam Pike, Glocester, RI, for four (4) events to be held between April and September, 2013 with the same stipulations as were stated in the motion of April 11th; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

IX. Department Head Report/Discussion Bds. & Commissions - Discussion

- A. Councilor W. Steere expressed appreciation to Jean Fecteau, Town Clerk, for her help at the Energy Saving Lighting Fair at the Senior Center.

- B. Joseph DelPrete, Chief of Police, spoke regarding the Code Red program, stating that we launched our first call today, notifying residents of several housebreaks which have taken place recently. Chief DelPrete noted that information regarding the program will be added to the Town's website.

Chief DelPrete informed the Council that he is expecting two resignations from the Police Department, one police officer and one full-time dispatcher.

Councilor Sette stated that he has received complaints that drivers are going through the stop signs at Durfee Hill and Snake Hill Roads.

- C. Ray Goff, Town Planner, stated that the State conducts a Historic Preservation Conference annually and Glocester has the opportunity to host the event in 2014.

Councilor W. Steere asked for an update regarding the proposed ball field. R. Goff stated that he and the Solicitor have been working on it and T. Kane reported that the grant has been transferred to the new site.

- D. Linda Nichols, chair of the Community Resource Commission, reported that the Energy Saving Lighting Fair was very successful. L. Nichols stated that supplies ran

out, therefore another event is being planned for October. Councilor W. Steere thanked L. Nichols and other members of the committee for their effort. L. Nichols noted that over 20 people have volunteered to help with the garden on Route 94, adding that planting will begin this weekend.

- E. Viviane Valentine, Tax Assessor, stated that there is a Bill in the General Assembly which she objects to because it would exempt from taxation single family dwellings or residential condos if they are not occupied, have never been occupied or are on the market for sale. V. Valentine stated that she wrote to Senator Fogarty to express her opposition to the Bill. V. Valentine stated that the Bill has been amended to address some of her concerns, but she is still not in favor of it.

V. Valentine stated that she was contacted by the head of the RI Builders' Association, who asked her if she was willing to withdraw her letter. V. Valentine responded that she would not do so. Councilor Sette stated that this Bill is part of a bigger package submitted by the Builders' Association which is intended to stimulate business. Jean Fecteau, Town Clerk, stated that it was suggested that the back taxes on the property be paid when the property is sold, but the Builders' Association did not agree. There was Council Consensus to place this matter on the next agenda.

V. Valentine stated that the tax rates have been set and are the same rates which appeared in the Budget. V. Valentine further stated that the first phase of statistical revaluation has begun.

- F. Mike DeGrange, chair of the Parade Committee, stated that there has been a good turnout at their meetings. M. DeGrange thanked the Council for the approval of the Carnival, stating that it resonated very well with the Committee. M. DeGrange expressed his opinion that this year's parade will be the best ever.

- G. Edna Kent, Town Historian, reported that 44 elementary school students toured the Evans Schoolhouse today and were charming and polite. E. Kent noted that the students were excited to see what it was like when their grandparents went to school.

X Council Correspondence/Discussion

- A. Councilor Sette suggested that the Council request the Building Official attend the next meeting to update Council on an issue he has been working on (the Degregorio gravel bank) and the status of his certification.

XI. Open Forum

- A. Rose LaVoie spoke about the Kent house and requested that the Council place this matter on a future agenda. R. LaVoie stated that she has spoken to Glenn Sherman who offered to go into the house to determine if it can be saved. Regarding school bands marching in the Parade, R. LaVoie stated that she tried for years but was always told no because the schools are not in session at that time. R. LaVoie commented that we have too many ordinances and should decide which ones we need and which ones we don't need.

- B. Marie Sweet of Chestnut Hill Road expressed concern regarding people who walk, run or bicycle on that road, stating that there are many curves which make it dangerous. M. Sweet stated that several months ago, the subject of televised meetings was discussed, and asked if anything has been done regarding this. Councilor Sette stated that the Council is trying to get students from New England Tech to do it as a project.
- C. Tom Sanzi thanked the Parade Committee for their hard work and stated that he is doing everything can to assist them. T. Sanzi asked if wreaths could be placed on both sides of the bridge to welcome home our troops and thank them for their service. Councilor Sette inquired how much the wreaths would cost. T. Sanzi replied that the last time we did this the cost was approximately \$60.00. The Council members stated that it could be taken care of, adding that it is a nice thing to do.
- D. Walter Steere, Jr. spoke regarding the Memorial Day Parade, stating that it was a great day, however the bands are always at least ½ hour late. Regarding school bands marching in the 4th of July Parade, W. Steere stated that this will be addressed at the next School Committee meeting. W. Steere commented on the road project in the Village, stating that the road will be narrower, eliminating parking spaces. W. Steere asked if the rotary will be done with the rest of the project. Councilor G. Steere replied that the intention was to get it in at the end of this project. W. Steere stated that the sooner we get rid of the traffic light, the better off we will be.

XII. Seek to Convene to Executive Session

MOTION was made by Councilor Burlingame to Convene to Closed Executive Session Pursuant to R.I.G.L. 42-46-5 (a) 2 Collective Bargaining (Clerks, Police & Dispatcher contracts); seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Reconvene Open Session - Disclosure of Votes Taken in Executive Session

MOTION was made by Councilor Burlingame to SEAL the minutes of Executive Session (no votes were taken); seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

I. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 10:40 p.m.; seconded by Councilor Sette.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the July 18, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **June 20, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President; George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Jean Fecteau, Town Clerk; Tim Kane, Assistant Town Solicitor; Thomas Mainville, Finance Director; Joseph DelPrete, Chief of Police; and Gary Treml, Director of Public Works.

III. Pledge of Allegiance

The Pledge of Allegiance was led by Rose LaVoie.

IV. Open Forum - Agenda Items

None.

V. Resolution - Discussion and/or action

A. Gloucester 2013-10: Opposition to Senate Bill 322-A & House Bill

Discussion: Councilor Reichert stated that he was not present at the last meeting when this was brought up, but he does not see a problem with this proposed legislation. Councilor Reichert stated that the Town would not be losing anything if these properties are not taxed because they were not taxed before. Councilor Reichert noted that this legislation would help out somebody like Kevin LaVoie with his condominium project. Councilor Reichert expressed his opinion that Gloucester would not be adversely affected by this.

Councilor Sette stated that his understanding is that the property would not be taxed at all, not even the land. Councilor Sette commented that this would result in lost tax revenue.

Councilor G. Steere stated that this would not be fair to somebody who is building a home on their own, adding that only builders would get a break. Councilor Reichert stated that the way it was explained to him, it only applied to model homes within a development. Councilor Sette stated that if this were the case, it would be different, but the way the legislation reads, all homes within the development would be exempt from taxation.

Councilor Burlingame stated that the bill is being pushed by the RI Builders' Association to reduce their costs at the front end, however the Tax Assessor has estimated that the legislation would cost the Town approximately \$40,000.

Councilor W. Steere stated that he would feel better if each city or town had the opportunity to opt in or out, but it is a Statewide thing. Councilor G. Steere stated that he got the sense from Senator Fogarty that this legislation will go through.

Reading of the following Resolution was waived.

RESOLUTION #2013-10

**OPPOSING SENATE BILL 322 SUB A AND HOUSE BILL -5394
LEGISLATION RELATING TO TAXATION
LEVY AND ASSESSMENT OF LOCAL TAXES**

WHEREAS, Senate Bill 322 Sub A and House Bill 5394 would prevent a municipality from taxing new construction single-family dwellings and residential condominium units at their full and fair cash value for as long as said new construction single-family dwellings or condominium units are not occupied, have never been occupied and are actively listed for sale to the open market; and

WHEREAS, Senate Bill 322 Sub A and House Bill 5394 favors the owners of development properties, thus giving for-profit developers an inequitable advantage in the residential market; and

WHEREAS, Senate Bill 322 Sub A and House Bill 5394 allows for unfair taxation to a property owner who wishes to custom build their own single-family home or condominium; and

WHEREAS, Senate Bill 322 Sub A and House Bill 5394 would not be beneficial to the Town of Gloucester as it would cause a reduction of growth in assessed valuations and therefore a loss of revenue negatively affecting the budget process and forcing taxpayers to shoulder the burden to the benefit of a single group.

NOW THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Gloucester respectfully requests that the Rhode Island General Assembly oppose Senate Bill 322 Sub-A and House Bill 5394.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to every State Senator, State Representative and the Governor.

Walter M.O. Steere, III, President
Attest: Jean Fecteau, CMC, Town Clerk

MOTION was made by Councilor Burlingame to WAIVE the reading and to APPROVE Resolution 2013-10 as presented: Opposition to Senate Bill 322-A and House Bill 5394; Seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: Reichert

MOTION PASSED

VI. Consent Items - Discussion and/or Action

A. Town Council Minutes - March 20th, May 20th, June 6th, 2013

B. Finance Director's Report

C. Tax Assessor's Additions & Abatements

MOTION was made by Councilor G. Steere to TABLE the Town Council minutes of March 20th, May 20th & June 6th, 2013; to TABLE the Finance Director's report; and to APPROVE the Abatement to the 2012 Tax Roll in the amount of \$33.83, no Additions; seconded by Councilor Burlingame.

Discussion: Councilor W. Steere cautioned that the March 20th minutes should be approved as soon as possible. Councilor W. Steere noted that there have been issues in the past with Boards and Commissions not having their minutes approved in a timely fashion.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VII. Unfinished Business

A. Board and Commissions

1. Appointments - Discussion and/or Action

a. Community Resource Commission -

1. Two Alternate one year terms

2. One Regular member term to expire 1/2015

MOTION was made by Councilor Sette to TABLE the appointments to the Community Resource Commission; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

b. Conservation Commission - Discussion and/or action

One Alternate one year term to expire 2/2014

MOTION was made by Councilor G. Steere to TABLE the appointment of one alternate member to the Conservation Commission; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

- c. Planning Board - Discussion and/or action
One 5-year term to expire 3/2017

Jean Fecteau, Town Clerk, stated that she gave the Talent Bank listing to the Town Planner for the Board's review, but she has not received a recommendation.

MOTION was made by Councilor Burlingame to TABLE the appointment to the Planning Board for one unexpired 5 year term to expire 3/2017; seconded by Councilor Reichert.

Discussion: Councilor Sette stated that there is somebody who applied in September of last year and suggested contacting this person to see if he is interested.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

- d. Budget Board - Discussion and/or action
One unexpired 3-year term to expire 1/2015

Councilor Sette stated that he knows somebody who is a Financial Planner and may be interested in this position. If so, Councilor Sette stated that he will have him file a Talent Bank application.

MOTION was made by Councilor G. Steere to TABLE the appointment to the Budget Board for one unexpired 3-year term to expire 1/2015; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

- B. Town of Gloucester: Purchasing Policy
Re: Small Purchases - Discussion and/or action

Councilor G. Steere stated that at this time, anything over \$500 must go out to bid. Councilor G. Steere stated that he has spoken with Tom Mainville, Finance Director, regarding this policy, stating that it requires a lot of work to obtain quotes for such a small amount.

Councilor G. Steere recommended that the amount be raised so it is easier to make small purchases. Councilor Sette stated that he has no problem raising it to \$1,000, but asked if there is anything in State Law which would prevent us from doing that.

T. Mainville replied that State Law reads that it is \$10,000 for construction and \$5,000 for anything else, adding that a Town can elect to adjust the limit per the CPI. T. Mainville stated that he surveyed other Finance Directors and determined that most of them stated that anything under \$500 does not need quotes, purchases from \$500 to \$1000 require three (3) verbal quotes, and for larger amounts, written substantiation is needed. T. Mainville stated that consideration should be made regarding where we make the limits because we don't want to go with the first thing we see without looking for an opportunity for savings.

Councilor Burlingame asked when the policy was last amended. T. Mainville stated that in 1999 the policy was adjusted for the CPI amount, but the limits did not change. Councilor Burlingame stated that it makes sense to raise it now since it has been so long. Councilor G. Steere agreed, stating that a tire which once cost \$300 now costs \$600. Councilor W. Steere stated we would call around anyway to get the best price regardless. Councilor W. Steere asked what other examples there are, other than vehicle parts. The response was consulting service, landscaping and small projects.

Gary Trembl, Director of Public Works, explained that much time is expended trying to obtain quotes, waiting for call backs, etc., meanwhile, the mechanic is waiting to do his job. G. Trembl commented that for the small amount of savings that may be realized, there is a loss of productivity.

Tom Mainville stated that if the Council chooses to change the first limit, the second one must also be raised. Councilor Sette stated that he would be comfortable leaving the third one at \$5,000.

Councilor W. Steere asked who has oversight of any purchases coming in at \$999. T. Mainville replied that everything goes through the Finance Office and he signs all of the checks.

MOTION was made by Councilor Burlingame to increase the limit to \$1,000 where no bids are required; increase the limit to \$1,000 - \$1,500 where three (3) verbal quotes are required; and leave the balance of the procedure intact; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VIII. New Business

A. Litter Crew appointments 2013 - Discussion and/or action

1. Litter Crew Supervisor

Councilor W. Steere read the following request from Public Works re: Litter Crew 2013:

June 20, 2013
To: Town Council
From: Gary Trembl
Public Works Director

Re: Appointment Litter Crew Supervisor

I am requesting that Marie Howard be appointed to the position of Litter Crew Supervisor. Marie has worked on the litter crew for 7 summers and has been the supervisor for the last six. Marie has done a great job working with the crew cleaning up the sides of roads throughout town. Marie will be working 16 hours per week at a rate of \$11.00/hour starting July 1, 2013. The program will run from 7/1/13 - 8/9/13.

Gary (Trembl)
(end ofletter)

Discussion: Councilor Burlingame stated that it has come to his attention that in Jamestown, if a truck comes to the Transfer Station with an uncovered load, the resident is not allowed in. Councilor Burlingame stated that we do not have an Ordinance like this, but he wanted to pass on the information.

MOTION was made by Councilor W. Steere to APPOINT Marie Howard to the position of Litter Crew Supervisor for the 2013 season at an hourly rate of \$11.00 starting July 1, 2013 from 7/1/2013 to 8/9/2013; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Litter Crew Lottery

Councilor W. Steere stated that we have received a list from Public Works of applicants for the Litter Crew lottery, 12 applicants, 9 of which are residents and 3 are non residents.

Councilor W. Steere explained that the Council must pick the 6 names by lottery from the residents list, 2 of which will be hired, and the remaining 4 will be placed on an as-needed list.

Discussion: None.

After a lottery:

MOTION was made by Councilor Sette to APPOINT Fred Szocik and Nathan Hesford to the 2013 Litter Corp at the hourly rate of \$ 8.00 for 16 hours weekly and will run from July 1, 2013 through August 9, 2013, and Hannah Latondress, Mark Howard, Kristin Strickland and Ronald Boutin as needed;
seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Resident Damage Claim - Waterman Lake Drive - Discussion and/or action

Councilor W. Steere stated that the Council has received the following claim:

May 15, 2013
ATTN: Town Clerk
RE: Damage Claim

Dear Counselors:

I live at 82 Waterman Lake Drive in Chepachet. I was sitting at home at approximately 4:00 p.m. on Tuesday, May 14, 2013, while they were in the process of repaving the road. While compressing the road, the house was literally shaking on its foundation. When the heavy equipment owned by the town was directly in front of my house, the entire house shook like an earthquake happened.

I heard what sounded like a waterfall of glass. I walked into the other room and a glass shelf in the china cabinet, which has been in the house 20 years, had collapsed, scattering Lennox crystal glasses all over the hardwood floor. Clearly, the excessive vibration caused by the repaving caused the shelf to dislodge and shatter the china.

I would appreciate if you could have your insurance company contact me. The china was Lennox Firelight Gold. My wife has a complete inventory of the damaged glasses. The replacement cost on the internet is \$546.00. There is some damage to the cabinet and damage to the hardwood floor. I would be happy to supply photographs depicting the damage. I also have a box full of glass fragments.

Please feel free to contact me. Thank you for your anticipated cooperation. Please accept this as notice under R.I.G.L. 45-15-5.

Very truly yours,
Craig A. Johns, Esquire
(end of memo)

Councilor W. Steere read the following correspondence from the Finance Director regarding the claim filed:

Attached is a claim from Craig A. Johns. I reviewed it with Gary Treml and Beth Decorte. The amount of the claim, \$546, exceeds my authority to settle [including to deny] it and so, it will have to be addressed by the Town Council. It should probably be listed as an agenda item for the meeting on June 20.

Also attached is a memo from Gary Treml re the claim.
(End of memo)

Correspondence from Gary Treml:

June 3, 2013

To: Tom Mainville
Finance Director
From: Gary Treml
Public Works Director
Re: Damage Claim- 82 Waterman Lake Dr.

On May 13th and 14th Murray Paving and Reclamation, the town's hired contractor, reclaimed Waterman Lake Drive and Granby Street in preparation for paving. Notices were hand delivered to all residents notifying them of the scheduled road work (see attached notice). As stated in the letter from Craig A. Johns, resident of 82 Waterman Lake Dr "the heavy equipment owned by the Town" is incorrect. The equipment is owned by Murray Paving and Reclamation.

There are approximately 55 residents between Waterman Lake Drive and Granby St and there was no complaints or reported damages from anyone else. Perhaps the shelf in the china cabinet was not secure, since it "has been in the house for 20 years," and only the one shelf collapsed.

Gary
(end of memo)

Discussion: Councilor Reichert recommended that this claim be forwarded to Murray Paving. Gary Treml, Director of Public Works, noted that his department has done extensive work on many of the roads in Town and he has never has a complaint like this. G. Treml stated that the resident should have asked the equipment operator to slow down in front of his house if he felt that the house was shaking.

G. Treml stated that we do not know if this damage was caused by the road work and therefore it would not be fair for us to pay for it. Councilor Reichert pointed out that it wasn't our equipment, asking if we should even get involved in the matter.

Tim Kane, Assistant Town Solicitor, stated that we have to take some action pertaining to this

claim. T. Kane stated that it could be referred to Murray, but their attorney would say that Murray was our agent and the Town is responsible. Councilor Burlingame asked if this would cost more than the \$546 quoted in the claim. Councilor G. Steere noted that the \$546 was only for the glasses, adding that the claim also referred to damage to the cabinet and hardwood floor.

Councilor Burlingame stated that the claim amount is \$546 and he would recommend paying it, adding that if we go through the lawyers, it could cost two or three times that amount. Councilor Reichert suggested that the claim be referred to Murray as it would be covered by their insurance. Councilor G. Steere was also in favor of referring the claim to Murray Paving.

MOTION was made by Councilor Burlingame to DENY the claim and to direct the Public Works Director to refer it to Murray Paving; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. Geo-Thermal - Contractor Additional Payment - Discussion and/or action

Councilor W. Steere stated that we have an invoice and the following memo from Ray Goff regarding an additional payment for repairs to the Geo-Thermal system:

I have received the final bill from Coldmasters who corrected the installation issues we had with our geothermal heating/cooling system. They did the corrections as we had requested and they found two parts that were damaged but were under warrantee to be replaced. They did the replacement of the parts, but we had to pay for their labor costs and any other materials needed to complete the repair. We have a bill for an additional \$1,210.07 that we are responsible to pay.

I am requesting the Town Council authorize the payment of this additional bill for repairs to the geothermal system.

Thank you,
Raymond Goff, Town Planner

(end of memo)

Discussion: Councilor Reichert commented that he thought the \$12,000 covered everything. Councilor Reichert asked if the oil heat is still connected or if the radiators have been removed. Gary Trembl replied that nothing has been disconnected.

MOTION was made by Councilor Sette to AUTHORIZE the expenditure of \$1,210.07 to Coldmasters (labor and parts) for repair to the town Hall Geo-Thermal heating and cooling system; seconded by Councilor G. Steere.

Discussion: Councilor W. Steere asked where these funds will come from. T. Mainville replied that the Public Works Account will be used. There was discussion regarding the original installation. Tim Kane stated that the design was good, but the company did not “step up to the plate” to help us with a few things.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

D. Boards & Commissions

1. Resignations

- a. Kent Property Oversight Committee - Discussion and/or action
One unexpired term to expire 12/31/2014

Councilor W. Steere stated that the Clerk has received and filed the resignation of George Charette from this committee.

Councilor Sette asked George Charette to reconsider his resignation and to stay on the Committee through the summer. G. Charette stated that the only reason he wanted to resign was because he does not have the time to solicit donations for the work that must be done on the property. After discussion, G. Charette withdrew his resignation.

No action required.

2. Appointments

- a. Kent Property Oversight Committee - Discussion and/or action
One term to expire 12/31/2014

MOTION was made by Councilor Sette to REMOVE FROM THE TABLE the appointment to the Kent Property Oversight Committee; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

E. Factory Mutual Global: Amendment to PILOT Agreement
Between Town of Gloucester & FM - Discussion and/or action

Councilor W. Steere stated that the latest amendment to the PILOT agreement with Factory Mutual has been received for Council approval. Tim Kane, Assistant Town Solicitor, stated that the agreement is very straight-forward and indicates the numbers going forward. Councilor Burlingame stated that the issue was whether the numbers were correct, but the Finance Director, Tax Assessor and Town Solicitor have since reviewed the agreement.

Councilor Sette stated that his concern was that the Council was not involved from the beginning. Councilor Sette asked why the RI Economic Development Corp. is included in Phase 3. Councilor Burlingame replied that the RIEDC was part of the process in the beginning because it is a tax treaty.

T. Kane stated that in order to enter into a PILOT agreement, the RIEDC might have to be part of the equation. Councilor Sette asked if this may affect us somewhere down the road with regard to our State aid. T. Kane stated that he is unsure if this is included in the levy. T. Kane stated that he does not know the background of this agreement because Bill Bernstein has been working on it. Someone in the audience stated that it was not included in the levy.

Councilor Reichert stated that Factory Mutual had the backing of the EDC with regard to tax exemption. Councilor Burlingame stated that there was a disagreement between Factory Mutual and the Town with regard to whether the equipment, valued at 40 million dollars, was taxable. Councilor Burlingame stated that a deal was reached by which the value would be cut in half to 20 million dollars and taxes would be assessed after 10 years.

MOTION was made by Councilor Sette to AUTHORIZE the Town Council President to sign the "Second Amendment to the Payment in Lieu of Taxes Agreement (PILOT)" by and between the Town of Glocester, the Rhode Island Economic Development Corporation and Factory Mutual Insurance Company, to be dated June 20, 2013; seconded by Councilor Burlingame.

Discussion: Councilor W. Steere commented that while he appreciates the work that has gone into this, his concern is that he, as Council President, was unaware of any negotiations until a month ago. Councilor W. Steere also noted that he found out by mistake. Councilor W. Steere stated that there is a problem with communication where we have department heads negotiating on behalf of the Town.

Councilor W. Steere asked if the other Council members were aware of the negotiations. Councilor Burlingame replied that the Council received a letter last November. Councilor W. Steere stated that Viviane Valentine, Tax Assessor, came to the Council to inform them that there was work going on at Factory Mutual with no agreement in place. Councilor W. Steere further stated that V. Valentine was directed by the Council to contact the company to ask what their intentions were.

Councilor W. Steere commented that the Council was not involved until the very end, which is an issue in his opinion. Councilor W. Steere stated that, going forward, it is important that Council has to okay things during negotiations. Councilor Burlingame again stated that he recalls seeing correspondence last November, adding that the problem was that the letter was not copied to every member of the Council. There was Council agreement that the Council should have had input from the beginning.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

F. Interlocal Animal Control Contract - Between the Towns of Gloucester & Foster
Discussion and/or action

Discussion: Joseph DelPrete, Chief of Police, stated that he has submitted a memo to the Foster Police Department but it must go before the Foster Town Council for approval. Chief DelPrete reported that there have been no problems with the agreement.

Tim Kane, Assistant Town Solicitor noted that the next Town Council meeting will not be until July 18th and advised the Council to authorize the signing of the contract, subject to the approval of the Foster Town Council.

MOTION was made by Councilor Burlingame to AUTHORIZE the Town Council President to sign the Interlocal Animal Control Contract - Between the Towns of Gloucester & Foster, effective July 1, 2013, subject to the approval of the Foster Town Council; seconded by Councilor G. Steere.

Discussion:

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

G. Recreation Department - 2013 Summer Appointments - Discussion and/or action

Councilor W. Steere read the following memo from the Recreation Director:

I recently found out that some of the appointed summer help have decided not to work this year. So, I am in need of a couple Lifeguards and someone for Parks and Ground. Unfortunately, we have no other applicants for these positions, so I am in the searching process.

So far, I would like to recommend the following appointments:

Patrick Crino - Parks and Grounds

Krista Shuckerow - Lifeguard

If you have any questions, please either email or call me

Thank you,

Anthony

(end of memo)

Discussion: It was stated that the Council received another request from Anthony to appoint Lucy Contrino to Water Safety Aide to fill the spot created by moving Krista Shuckerow to Lifeguard.

MOTION was made by Councilor Sette to APPOINT Patrick Crino to the position of position of Parks & Grounds at an hourly rate of \$8.75; Krista Shuckerow to the position of Lifeguard (rate to be determined by Recreation Director & Finance Director) and Lucy Contrino to the position of Water Safety Aide at an hourly rate of \$8.25, all for the 2013 summer season; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

IX. Department Head Report/Discussion Bds. & Commissions - Discussion
Council Correspondence/Discussion

- A. Gary Treml, Director of Public Works, stated that Terry Lane has been paved and a new guardrail will be installed. G. Treml reported that the final drainage work has been done at the entrance of Waterman Lake. G. Treml stated that fences have been put up at the Oil Mill Lane/Tanyard Lane project, adding that all that is left to do is the Land Use Agreement with DEM. Councilor W. Steere commended the Public Works Department for their work on this project.
- B. Tom Mainville, Finance Director, submitted a letter to the Town Council indicating that he will be retiring on August 5th. T. Mainville requested that the Council speak with Jaclynn DiPietro with regard to the next step. Councilor Burlingame expressed agreement that we need to have that discussion, hopefully next week if we can set it up. Councilor Sette expressed his regret and gratitude with regard to T. Mainville's retirement. Councilor Sette commended T. Mainville for all he has done for the Town, particularly the assumption of financial duties of the Gloucester School Department. Councilor Burlingame stated that it is important that Tom assist in the transition and it is critical to have a meeting with him and J. DiPietro.

Councilor Reichert read the following letter into the record:

To: The Honorable Town Council

Re: My impending retirement

After considerable contemplation, it is with some difficulty and sadness that I must inform you that I will be retiring effective August 5, 2013. I would like to thank the present and past Councils for the opportunities given to me and for creating a congenial and cooperative environment in which to work. It has been a rewarding experience.

My staff and I have enjoyed many successes during my time here. Most notable have been and I am most proud of the following:

- Our three upgrades in bond rating from Standard & Poor's from A to A+ in

2001, to AA- in 2006, and finally to an AA in 2009. In our last review, we would have been upgraded to AA+ but were not because of the economy in general and because we are in Rhode Island. Those upgrades saved the taxpayers an estimated \$1,000,000 in interest payments.

- Our being tied for first in the state and being one of the first in the country to implement GASB 34 in 2002. We were recognized publicly for this by David Bean, Director of Research for the Governmental Accounting Standards Board. In terms of recognition in Government finance reporting, this was like winning the Superbowl.

- We have been awarded seven consecutive Certificates of Achievement from the Government Finance Officers Association of the United States and Canada. We are anticipating receiving an eighth award for our Comprehensive Annual Financial Report for the year ended June 30, 2012.

- We have had seven different audit firms over the past sixteen years and, although there were Management Letter Comments from the auditors about related entities (Glocester Schools before we assumed responsibility and Western RI Home Repair), the Town has never received any Management Letter Comments regarding deficiencies in internal control or operations from any of the auditors.

- My office rescued the Glocester Schools Business office function when we took responsibility for it in January 2008. As you may recall, not only was their General Fund budget out of balance by \$312,054, but their remaining funds were out of balance with each other by \$140,000+. In addition to correcting those and many other problems (e.g. busing, trash disposal, an IRS issue), all of which took a considerable amount of time, they had no budget document. I spent seven days each week for several weeks building one. Also, we performed the business office function for about \$25,000 per year less than what the Glocester School Department was paying the Foster-Glocester Region. We introduced and provided valuable information to the School Committee (compounding of costs, OPEB) which they subsequently used in their contract negotiations and which they had never seen before per Christopher Hebert, Chair, Glocester School Committee.

During this time of decreasing state aid revenue due to the new funding formula (a decrease of \$80,000 each year for ten years growing to a repeating annual loss of \$800,000 starting in the 10th year), we have helped grow the school's Unassigned Fund Balance from \$245,913 in 2007-2008 to \$2,370,412 (an increase of 964%) as of 6/30/2012 (see column J on the attached spreadsheet "Glocester School - Schedule of Fund Balances"). Presently, we take care of 600 students with the equivalent of one staff member's time. We are the only town in the State of RI in which the Town's Finance office performs all of the functions of the local school's Business Office.

- We have an excellent reputation as a well run town financially with RI's Office of the Auditor General, the State's Division of Municipal Finance, and the RI Department of Education. Considering the current financial climate in the state, Gloucester is in better financial condition than most other communities in the state.

None of the above would have been achieved without the participation of all Town employees and especially my staff. I have been truly blessed to have worked with, and I would like to thank Kim Montie, Jane Steere, Viviane Valentine, Sandy Major, Brenda LaFazia, Jeanne Carcieri, Denise Cadoret, and most of all Jacky DiPietro. Words cannot express how valuable Jacky has been to me and how much she has been responsible for making the Town's and especially the Gloucester Schools financial successes possible. I will miss this part of the job most of all.

Again, I thank you for the opportunities presented to me. I wish you and the Town of Gloucester continued success.

Respectfully,
Tom Mainville
(end of letter)

After discussion, a Town Council meeting was scheduled for Monday, June 24th at 7:00 p.m.

Councilor Sette stated that there was discussion at the last meeting regarding Police details and asked T. Mainville if he has gotten any responses from Verizon, National Grid, etc. T. Mainville answered in the negative.

- C. Joseph DelPrete, Chief of Police, stated that information regarding Code Red is now on the Town's website where residents can sign up for notifications. Councilor W. Steere stated that he did and the process was very simple. Chief DelPrete reported that Jason Rhodes has been working on the MEDS program.
- D. Walter Steere, Jr. stated that he received a memo from the Foster-Glocester School Department Business Manager regarding Obamacare. W. Steere, Jr. stated that there will be numerous fees for which the Town will be responsible. W. Steere, Jr. further stated that because they are self-insured, the Region will be responsible for all out-of-pocket expenses over \$62.50.

W. Steere, Jr. commented that Tom Mainville's retirement will be a big loss for everyone. W. Steere, Jr. stated that a School Department employee will be retiring soon also but may stay on part-time to help with the transition.

Councilor W. Steere asked for an update on the track at the High School and if the deadline will be met. W. Steere, Jr. replied that he believes that they will get substantial completion. However, W. Steere, Jr. stated that there is an issue with flooding.

W. Steere, Jr. spoke about an incident at the school where a student was wearing a shirt with the word "Bible" on it. Another student complained and the first student was told to turn his shirt inside-out. W. Steere, Jr. stated that the incident is being looked into.

- E. George Charette, chair of the Planning Board, stated that the Board has been meeting with consultant, Sam Shamoon, with regard to the Comprehensive Community Plan. G. Charette suggested that the Council members attend these workshops. G. Charette stated that the word "rural" should not be used to describe Gloucester, as it would tend to discourage growth.

Councilor W. Steere recommended that the public be notified through Code Red that input regarding the Comprehensive Plan is needed. G. Charette replied that once they have something "on the table", the public will be invited to attend the meetings. Councilor W. Steere commented that the Comprehensive Plan is very important and should not be decided by twelve people. G. Charette replied that input will be taken from many sources, particularly the general public.

- F. Councilor W. Steere asked Mike DeGrange, Parade Committee chair, for an update regarding the Carnival. M. DeGrange stated that the carnival director is making the arrangements and will contact the Fire Department and Building Inspector regarding inspections. M. DeGrange noted that the equipment will be set up on Wednesday, the day before the event, and taken down on Friday.

Councilor W. Steere stated that the Town Hall will be open for business on Wednesday and Friday and expressed concern that parking for employees and the public will be limited. M. DeGrange stated that the director will leave as many spots as possible, adding that the equipment will be gone by Friday morning. Councilor Reichert asked if there will be supervision while the carnival is being set up. M. DeGrange replied that he will be present.

- G. Councilor W. Steere stated that he attended the Girl Scouts Crossover Ceremony and noted that the Scouts expressed their appreciation for the recognition afforded to them by the Town Council.
- H. Councilor G. Steere stated that in Killingly, Connecticut, in order to vote at any financial meeting, one must have a tax liability of at least \$1000. Councilor G. Steere noted that this would prevent renters and young people who just registered to vote from voting at these meetings. Councilor Burlingame stated that years ago in Gloucester, one could not vote unless they owned real estate, but the law was changed. Councilor G. Steere stated that it is still that way in Killingly.

- I. Councilor W. Steere stated that a letter of appreciation regarding the Director of Human Services was received from Marie Plante.
 - J. Councilor W. Steere stated that correspondence was received from the RI Emergency Management Agency stating that Glocester's Hazard Mitigation Plan was approved and a grant will be awarded in the amount of \$10,000.
 - K. Councilor W. Steere stated that a letter was sent to several neighboring school districts inviting their marching bands to participate in the 4th of July Parade.
- X. Open Forum
- A. Rose LaVoie spoke about voting at Town Financial Meetings, stating that it is not fair that somebody who does not pay taxes has the same voting rights as someone who pays thousands of dollars. R. LaVoie expressed her opinion that all should have the right to vote in elections, but not on how to spend the Town's money.
 - R. LaVoie inquired why the minutes are being tabled. Councilor W. Steere replied that he does not have an answer.
 - R. LaVoie spoke regarding the Factory Mutual agreement, asking who sat in on the negotiations if the Council was not aware of it. It was stated that the Tax Assessor and the Town Solicitor negotiated the agreement which was subsequently reviewed and approved by the Town Council.
 - R. LaVoie asked why the Gold Cane award has not been given to the oldest citizen in several years. Councilor W. Steere replied that it was given to somebody several years ago, but the recipient has since died.
 - R. LaVoie spoke about the road construction in the Village and commented that she feels that they are doing a terrible job.
 - Regarding the damage claim for \$546, R. LaVoie cautioned the Town Council that they should not ignore it.
 - R. LaVoie stated that she had asked for the Kent House to be on the agenda, but it was not. R. LaVoie stated that she has been told that the house is beyond repair, but she does not want to see the house turn into a pile of rubble. Councilor W. Steere stated that the Assistant Town Solicitor is putting a list together of all bank-owned properties which are addressed in the new Ordinance. R. LaVoie noted that this is not an ordinary property, but an important part of our history.
 - B. Marie Sweet, of Chestnut Hill Road, stated that with the warm weather windows are open and the peacocks are alive and well. M. Sweet commented that there is no Ordinance to address the noise issue, therefore she has no recourse.
 - C. Tom Sanzi thanked the Council for attending the Memorial Day Parade. T. Sanzi

stated that he has volunteered his assistance at the 4th of July Parade. Councilor W. Steere asked where the Gloucester Light Infantry will be marching that day. T. Sanzi replied that they will be in Burrillville in the morning and Exeter in the afternoon. T. Sanzi stated that there are some new members and he is trying to influence the group to march in Gloucester next year.

T. Sanzi spoke regarding voter rights, stating that if somebody is old enough to go to war, they should be able to vote.

Regarding the Affordable Care Act, T. Sanzi stated that millions of dollars will be saved and all will have health coverage. Councilor Burlingame disagreed, stating that it will cost us trillions and will be a disaster.

- D. Councilor Sette spoke about the State Budget, stating that the \$226,000 which Gloucester was expecting to receive for road construction has been removed due to Treasurer Raimondo's plan for a revolving fund.
- E. George Charette stated that he has made phone calls regarding Mrs. Kent's house due to his involvement in the piece of property in the front. G. Charette noted that there are numerous liens and deed restrictions on the property from when money was borrowed by the previous owners. G. Charette stated that he has called Wells Fargo, but nobody seems to know anything. G. Charette suggested that we go to the State or even higher to find out what the banks are doing regarding this property.
- F. Mike DeGrange suggested that the Schoolhouse be opened to the public during the carnival on July 4th.
- G. Walter Steere, Jr. stated that he was told that the banks which have foreclosed on properties have been told by the Federal government not to place them on the market all at once because it would depress the housing market. W. Steere, Jr. gave the example of a house across from him which has been empty for three or four years and has not been put on the market.
- H. Rose LaVoie stated that when she made comments about voting, she did not mean that 18-year olds should be disenfranchised. R. LaVoie explained that her point was that they should not be voting at Financial Town Meetings when they are not contributing to the Town's tax base.

XI. Adjourn

MOTION was made by Councilor Sette to ADJOURN at 9:47 p.m.;
seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the July 18, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **June 24, 2013**

I. Call to Order

The meeting was called to order at 7:00 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President; George O. (Buster) Steere; Edward C. Burlingame.

Member Absent: Steve Sette

Also present: Jean Fecteau, Town Clerk; Tom Mainville, Finance Director and J. DiPietro, Financial Clerk

III. Seek to Convene to Executive Session - Discussion and/or Action

A. R.I.G.L. 42-46-5(a) 1 - Personnel - Finance Director's Office Employees

MOTION was made by Councilor G. Steere to ADJOURN to Closed Executive Session pursuant to R.I.G.L. 42-46-5(a) 1 Personnel; seconded by Councilor Reichert.

Discussion: none

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame

NAYS: 0

MOTION PASSED

IV. Reconvene Open Session

Disclose votes taken

Council disclosed NO votes were taken in Closed Executive Session.

After Executive Session, MOTION was made by Councilor Burlingame to SEAL the minutes of Closed Executive Session; seconded by Councilor Reichert.

Discussion:

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame

NAYS: 0

MOTION PASSED

Discussion followed on setting the next special meeting night to address this issue. A meeting will be called for June 27, 2013 at 7:00 p.m.

V. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 7:45 p. m.; seconded by Councilor G. Steere.

Jean M. Fecteau, Town Clerk

Approved at the July 18, 2013 Town Council Meeting.

At a Special meeting of the Town Council holden in and
for the Town of Gloucester on **June 27, 2013**

I. Call to Order

The meeting was called to order at 7:00 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President; George O. (Buster) Steere; and Steven A. Sette.

Member Absent: Edward Burlingame

Also present: Jean Fecteau, Town Clerk; Tim Kane, Town Solicitor; Tom Mainville, Finance Director.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Finance Director Position

A. Process to fill position - Discussion and/or action

B. Steps to Fill position - Discussion and/or action

Councilor W. Steere explained the Council was here to determine how to proceed with filling the Finance Director's position.

Councilor Sette stated we should handle this as any other appointment: post, advertise, interview, and select a candidate.

There was discussion about advertising in a paper with state wide circulation.

T. Kane reminded Council of the Charter provision for the position of Human Resources Director. T. Kane stated the Charter states "There shall be within the Department of Finance the position of Director of Human Resources who shall be appointed by the Council. The position of Director of Human Resources may be assigned to another established position within the Town."

After discussion, Council agreed on including in an advertisement: "Background in Human Services preferred, degree preferred, and salary commensurate with qualifications."

There was discussion on school budgeting and bid processing experience.

It was agreed that the liaison, Councilor Sette, will work with T. Mainville on updating the job description for that position.

MOTION was made by Councilor Sette to Authorize the Finance Director to work with Councilor Sette to create a job description and advertisement for the position of Finance Director with the last date for resume to be submitted set as July 24, 2013; seconded by Councilor Reichert.

Discussion:

VOTE: AYES: W. Steere, Reichert, G. Steere, and Sette.

NAYS: 0

MOTION PASSED

V. Adjourn

MOTION was made by Councilor Reichert to ADJOURN at 7:19 p.m.; seconded by Councilor G. Steere.

Discussion:

VOTE: AYES: W. Steere, Reichert, G. Steere, and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the July 18, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **July 18, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President; George O. (Buster) Steere; and Steven A. Sette.

Member Absent: Edward C. Burlingame

Also present: Jean Fecteau, Town Clerk; Tim Kane, Assistant Town Solicitor; Susan Harris, Deputy Town Clerk; Joseph DelPrete, Chief of Police; Carl Riccio, Building/Zoning Official; Anthony Parrillo, Recreation Director.

III. Pledge of Allegiance

The Pledge of Allegiance was led by Boy Scout Troop 11 from Harmony.

IV. Open Forum - Agenda Items

None

V. Public Hearing

A. Licensing Board

1. Expansion of Entertainment License

a. Outdoor use

RMZ, LLC d/b/a Snows/Clambox

LOCATION OF BUSINESS: 2461 Putnam Pike

Councilor W. Steere stated that this Public Hearing was advertised in the Valley Breeze the week of July 1, 2013.

Councilor W. Steere declared the Public Hearing Open and stated that this application has been referred to the Chief of Police.

Councilor W. Steere read the following request into the record:

June 5, 2013

To: Town Council and all concerned parties

We are looking to expand our entertainment license to allow us outside entertainment in our designated outdoor patio area. We are looking to only have this ability on Saturdays, Sundays and holidays from 12:00-7:00pm. This would only include 1-2 people with acoustic instrument only (nothing electric).

Thank you for your consideration in this matter.
Sincerely,
Robert Zalewski
Snow's Clam Box
(end of memo)

Councilor W. Steere asked if anyone wished to speak regarding this application.

Discussion: Jean Fecteau, Town Clerk, stated that she has spoken to Joseph DelPrete, Chief of Police, who indicated that he has no issues with this application.

Councilor G. Steere expressed his opinion that this is a great idea as long as the music will be acoustic with no amplification.

Councilor W. Steere asked if anyone else wished to be heard. Hearing none, Councilor W. Steere Declared the Public Hearing Closed.

MOTION was made by Councilor Sette to APPROVE the request for Expansion of Entertainment License for Outdoor use to: RMZ, LLC d/b/a Snows/Clambox, Location of Business: 2461 Putnam Pike. Said permission shall be for Saturdays, Sundays and holidays from 12:00-7:00 p.m.; would only allow 1-2 people with acoustic instruments (no electronics or amplification allowed); and is only for the enclosed patio area as described in the site plan on file;
seconded by Councilor G. Steere.

Discussion: Councilor W. Steere asked Robert Zalewski, applicant, if he anticipates having entertainment every weekend. R. Zalewski replied that he will have entertainment only on special occasions, such as an outside show or clambake, and only during good weather. Tim Kane, Assistant Town Solicitor, stated that he sees no problem with the expansion of entertainment license as it will be acoustic music in an enclosed area.

VOTE: AYES: W. Steere, Reichert, G. Steere and Sette.

NAYS: 0

MOTION PASSED

VI. Consent Items - Discussion and/or Action

- A. Town Council Minutes - March 20, May 20, June 6, June 20, June 24 & June 27, 2013
- B. Finance Director's Report: May & June, 2013
- C. Tax Assessor's Additions & Abatements

MOTION was made by Councilor Reichert APPROVE the Town Council minutes of March 20th, May 20th, June 6th, June 20th, June 24th, & June 27th, 2013; to TABLE the Finance Director's reports for May & June 2013; and to APPROVE the Addition to the 2013 Tax Roll in the amount of \$9005.64; Abatements to the 2012 Tax Roll in the amount of \$153.64 and the 2013 Tax Roll in the amount of \$160.48;
seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Sette.

NAYS: 0

MOTION PASSED

VII. Unfinished Business

A. Board and Commissions

1. Appointments - Discussion and/or Action

a. Community Resource Commission

Councilor W. Steere stated that the Chair has requested that regular member Ron Riccitelli be moved to the Alternate position per his request. Councilor W. Steere stated that the Chair is also asking for the appointment of Stephanie Westgate and Cheryl Haynes as full members.

Linda Nichols, chair of the Community Resource Commission, stated that she received a call from a resident who is very interested in the environment and energy and this person plans to attend the next meeting to decide if he wishes to serve on the committee. L. Nichols stated that she explains to potential candidates that the Commission has a lot to do and the members are expected to work.

Councilor W. Steere asked L. Nichols if she still would like the previously mentioned people to be appointed. L. Nichols replied in the affirmative, but noted that one of them may not work out. Councilor W. Steere inquired about the person who called about attending the next meeting. L. Nichols replied that the young man is a student at New England Tech, adding that it would be good to have young ideas on the commission. Councilor W. Steere asked if the Council should appoint this person tonight as an Alternate. L. Nichols stated that she would rather wait until he attends their meeting on Monday.

1. Two Alternate one year terms

MOTION was made by Councilor G. Steere to MOVE Ron Riccitelli to an Alternate position on the Community Resource Commission for a one year term to expire Jan. 2015; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Sette.

NAYS: 0

MOTION PASSED

2. Regular member terms to expire 1/2015

MOTION was made by Councilor G. Steere to APPOINT Stephanie Westgate & Cheryl Haynes to the Community Resource Commission for regular terms to expire 1/2015; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Sette.

NAYS: 0

MOTION PASSED

- b. Conservation Commission - Discussion and/or action
One Alternate one year term to expire 2/2014

MOTION was made by Councilor Sette to APPOINT Brian Fernandes to the Conservation Commission for one Alternate one year term to expire 2/2014; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Sette.

NAYS: 0

MOTION PASSED

- c. Planning Board - Discussion and/or action
One 5-year term to expire 3/2017

MOTION was made by Councilor Sette to TABLE the appointment to the Planning Board for one 5 year term to expire 3/2017; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Sette.

NAYS: 0

MOTION PASSED

- d. Budget Board- Discussion and/or action
One unexpired 3-year term to expire 1/2015

MOTION was made by Councilor Sette to APPOINT Greg Agnone to the Budget Board to fill one unexpired 3 year term to expire 1/2015; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Sette.

NAYS: 0

MOTION PASSED

VIII. New Business

A. Land Trust

- 1. Rules & Regulations - Discussion and/or action

Councilor W. Steere stated that the Land Trust has forwarded the following information to the Clerk's Office.

At the 4/16/13 GLT meeting the following motions were passed:

The GLT will now meet on the 2nd and 4th Wednesday of each month at 7:30 pm. The new schedule is to begin on 5/8/13.

The attached rules that were discussed with the TC were approved (we may need to address the orange requirements during hunting season)

The resolution that the GLT will now follow the Standards & Practices of the Land Trust Alliance (see Standards & Practices separate email).

The GLT voted to join the Land Trust Alliance and to move forward with the accreditation process (see info on accreditation separate email).

(end of memo)

Councilor W. Steere explained that the Council, per legislation, must now review and approve the Rules & Regulations.

Discussion: Councilor Sette stated that he was present at the meeting when the Rules and Regulations were discussed by the Land Trust and he would recommend Council approval.

MOTION was made by Councilor Sette to APPROVE the Land Trust Rules & Regulations as adopted by the Land Trust on 4/13/2013; seconded by Councilor G. Steere.

Discussion: Councilor W. Steere stated that he has several questions regarding wording. One question pertains to how an item is placed on an agenda. Councilor W. Steere asked what a "third party" is with regard to asking a trustee to put something on an agenda.

Steve Mitchell, Vice-Chair of the Land Trust, replied that he was also confused when he first read this, but "third party" refers to members of the Land Trust. S. Mitchell stated that if someone wanted to put something on the agenda, they would have to communicate with the chair of the Land Trust and if the chair found that the request had merit, it would likely go on the agenda.

Councilor W. Steere asked if the public is only allowed to speak during Open Forum. S. Mitchell replied that this is correct. Councilor W. Steere expressed concern that there are people who wait throughout the meeting to speak and may not get the chance or be rushed, due to the 10 o'clock limit. S. Mitchell explained that if the Trustees have a question which requires clarification from a member of the audience, there will be dialog with that individual.

However, S. Mitchell noted that they are trying to systematize many operations which were never systematized. S. Mitchell also pointed out that usually there are only a couple of people in attendance and the agenda items are very specific to the duties to be carried out by the Land

Trust. S. Mitchell stated that a half-hour is provided at the end of the meeting for anyone who wishes to speak. S. Mitchell reiterated that systems should have been put in place, but were not. S. Mitchell noted that the Land Trust has decided to have two meetings per month due to the work that has to be done.

Councilor W. Steere stated that the Town Council also meets twice per month, but the public is allowed to voice their concerns during a meeting. Councilor W. Steere expressed his concern that by codifying this, it gives the perception that we don't want to listen. S. Mitchell replied that if allowed to speak during the meeting, people would be popping up every few minutes. S. Mitchell stated that the Land Trust provides the opportunity to speak at the end of the session, adding that the Land Trust responds respectfully to all questions and concerns.

Councilor W. Steere pointed out that the Land Trust has a chair to control the meeting and to bring order if an audience member "goes on a tangent". Councilor W. Steere again expressed his concern regarding codifying this rule. S. Mitchell replied that Councilor W. Steere's concern is duly noted.

Councilor W. Steere asked, if someone wants to put something on the agenda, do they have to attend the meeting before to make their request. S. Mitchell replied that people are encouraged to contact the chair to place an item on the agenda. S. Mitchell noted that the Land Trust is running well, but the Trustees still have a lot of work ahead of them. Councilor W. Steere stated that he has questions regarding the Land Trust Alliance, but they do not pertain to this agenda item.

VOTE: AYES: Reichert, G. Steere and Sette.

NAYS: W. Steere

MOTION PASSED

B. Appointments

1. Police Department

- a. One Full-Time Dispatcher - Discussion and/or action

Councilor W. Steere read the following memo from the Chief of Police:

To: Thomas Mainville, Finance Director

From: Joseph DelPrete, Chief of Police

Date: June 24, 2013

Ref: Full-time Dispatcher Appointment

Cc: Honorable Town Council

I am respectfully requesting to appoint Daniel Lefebvre age 22, of Gloucester to a full time dispatcher position. This appointment is needed to fill the full time dispatcher vacancy/resignation of Joseph Cole on July 19, 2013.

Daniel Lefebvre is a criminal justice major and recent graduate of Fitchburg State University in Massachusetts. This past spring semester he was a college intern at the Gloucester Police Department where he did a great job and became proficient in the records

management system. He further became familiar with the daily police operations and dispatch functions at the public safety complex.

On May 16, 2013, the Town Council appointed Daniel Lefebvre to a summer internship at the Gloucester Police Department at \$12.00 per hour, 16 hours per week to assist the police department in an accreditation, records management, and records retention schedule project. As of Monday June 24, 2013, I would respectfully like to increase Daniel Lefebvre to 32 hours a week, \$12 per hour and continue this accreditation project and formally train him for the full time dispatcher position. ***On Sunday July 21, 2013, I would respectfully request to appoint Daniel Lefebvre to a full time dispatcher position at the current salary schedule of \$16.99 per hour and six month employee probationary status.***

(End of memo)

Discussion: None.

MOTION was made by Councilor Reichert to APPOINT Daniel Lefebvre to the position of Police Dispatcher, Full time, at a salary of \$16.99 per hour effective July 21, 2013 with a six month employee probationary status; seconded by Councilor G. Steere.

Discussion: None

VOTE: AYES: W. Steere, Reichert, G. Steere and Sette.

NAYS: 0

MOTION PASSED

- C. Renewal of Contract - Interlocal Equipment Sharing and Personnel Interchange contract between the Towns of Burrillville, Gloucester, North Smithfield & Smithfield - Discussion and/or action

Councilor W. Steere stated that the Council has been notified by the other towns that they are interested in renewing the interlocal contract. Councilor W. Steere stated if Council is interested, they can continue to talk with them and a new contract will be brought to the full Council when one is prepared.

Discussion: Councilor Sette stated that the municipalities have not gotten together to discuss this in the last several years, therefore he would recommend that we express interest but ask that another meeting be held. Jean Fecteau, Town Clerk, stated that she has received a request from the other three (3) towns for Gloucester to designate a Council member to attend meetings. Councilor Sette volunteered to represent Gloucester.

MOTION was made by Councilor Reichert to AUTHORIZE Councilor Sette to meet with representatives from the towns of Burrillville, North Smithfield and Smithfield with regard to Interlocal Equipment Sharing and Personnel Interchange; seconded by Councilor G. Steere.

VOTE: AYES: W. Steere, Reichert, G. Steere and Sette.

NAYS: 0
MOTION PASSED

D. Property Claim Appeal - Thompson - Discussion and/or action

Councilor W. Steere stated that this claim was previously denied by the Finance Director and now the homeowner wishes to appeal that decision to the Town Council.

Discussion: Councilor Sette noted that this has been going on for a number of years and recommended that, due to the small amount of the claim and the persistence of the property owner, that Council dispose of the matter.

Councilor G. Steere stated that the snow plow operator said that he did not hit the mailbox, and Councilor G. Steere stated that he believes him. Councilor G. Steere noted that it could have been a private contractor plowing driveways. Councilor G. Steere stated that if we pay the claim, it would seem like the Council does not believe the driver. Councilor W. Steere expressed agreement, stating that if the Council decides to pay the claim, they should stipulate that they do not believe that the Town is at fault.

Councilor Sette stated that we do advertise our policy regarding mailbox replacement. Councilor G. Steere mentioned that the driver is a dedicated Town employee and would admit it if he had hit the mailbox.

MOTION was made by Councilor Sette to support the decision of the Public Works Director and the Finance Director and to deny the claim; seconded by Councilor Reichert.

VOTE: AYES: W. Steere, Reichert, G. Steere and Sette.
NAYS: 0
MOTION PASSED

E. Personnel

1. Family Medical Leave Act: Approval - Discussion and/or action

Councilor W. Steere stated that the Council has received the following request for Family Medical Leave:

June 24, 2013
To: Town Council
Re: Family Medical Leave

Due to a recent surgery, I am requesting time off under the Family Medical Leave Act (FMLA). I have exhausted all of my sick, vacation and comp time as of June 26, 2013 and I will not be released back to work until July 8, 2013.

Thank you for your understanding and consideration.

(End of request)

Councilor Sette asked why this is before the Council for approval. Jean Fecteau, Town Clerk, explained that the person will have a minus sick leave balance unless this is granted. Councilor Sette inquired whether the person should be getting paid if he or she has exhausted all of their time. It was stated that FMLA is not paid leave, but preserves an employee's position during time off for medical reasons.

MOTION was made by Councilor Sette to AUTHORIZE the individual (a Town employee) to be approved for the Family Medical Leave Act (FMLA) effective as needed; seconded by Councilor G. Steere.

Discussion: None

VOTE: AYES: W. Steere, Reichert, G. Steere and Sette.

NAYS: 0

MOTION PASSED

F. Boards & Commissions - Discussion and/or action

1. Gloucester Housing Authority

One Five year term to expire 7/2018

Councilor W. Steere stated this appointment is for the expired term of Glenn Sherman, a member of that board.

MOTION was made by Councilor G. Steere to REAPPOINT Glenn Sherman to the Gloucester Housing Authority for a five year term to expire 7/2018; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Sette.

NAYS: 0

MOTION PASSED

G. Finance Department

1. Formation of a Finance Director Search Committee - Discussion and/or action

Councilor Sette stated that we are in the process of obtaining resumes for the Finance Director position and now is the time to establish a committee to screen the applications. Since the Finance Director oversees the business operations of the School Department, Councilor Sette recommended that the Superintendent or a representative from the Superintendent's office be appointed to the Committee.

It was noted that Superintendent Dubois has stated that she would like to serve. Councilor Sette also suggested that J. DiPietro from the Finance Office or a designee be appointed, as well as a member of the Budget Board.

Council discussion followed regarding the remaining members of the Committee. Councilor W. Steere stated that he agrees with Councilor Sette's suggestions. Councilor Sette stated that if Jacky or the chair of the Budget Board do not wish to be appointed, a designee from each of those areas could be selected. Councilor W. Steere asked how many people do we want on this Committee.

Councilor Sette replied no more than six or seven, including one more Department Head. It was stated that the Committee would screen the resumes, do the initial interviews, and recommend the candidates for final interviews with the Town Council. Councilor Reichert recommended that a member of the Personnel Board be involved. Councilor Sette stated that an ad hoc member could also be added, such as a retired Finance Director from another town or somebody from the Interlocal Trust.

MOTION was made by Councilor Sette to establish a Screening Committee for the position of Finance Director, as follows: (1) Superintendent Patricia Dubois; (2) member of the Finance Office; (3) designee from the Budget Board; (4) designee from the Personnel Board; (5) Department Head; and (6) and (7) two members of the public. Ad hoc members may also be included.

Seconded by Councilor G. Steere.

Discussion: Councilor Sette stated that he will contact the Budget Board and Personnel Board chairs to ask for designees. It was stated that a Department Head and the two (2) members of the public will be selected and all will be appointed by the Town Council at the meeting of August 1st.

VOTE: AYES: W. Steere, Reichert, G. Steere and Sette.

NAYS: 0

MOTION PASSED

IX. Department Head Report/Discussion Bds. & Commissions - Discussion

- A. Joseph DelPrete, Chief of Police, reported that the Fourth of July was a good day with no incidents and he wished to thank the Highway Department, the Parade Committee and the Recreation Committee for their efforts.

Chief DelPrete spoke about the Interlocal Animal Contract, stating that the town of Foster has opted to go with Scituate with regard to Animal Control. (Clerk's note: At the Town Council meeting of June 20, 2013 the following motion was made: MOTION was made by Councilor Burlingame to AUTHORIZE the Town Council President to sign the Interlocal Animal Control Contract - Between the Towns of Gloucester & Foster, effective July 1, 2013, subject to the approval of the Foster Town Council; seconded by Councilor G. Steere. AYES: Unanimous

- B. Linda Nichols, chair of the Community Resource Commission, on behalf of Amica Insurance, presented the Council with a framed photograph taken during the Governor's recent visit to Gloucester.

L. Nichols suggested that pictures of longtime volunteers be displayed along with a list of their achievements.

L. Nichols stated that the community garden is doing well and commented that there are over 100 families in need who are served by the Gloucester food bank.

Regarding hydro-electric power, L. Nichols stated that the feasibility study is complete and the Commission is now seeking financing. L. Nichols stated that the Commission is also working on solar power. L. Nichols stated that the Commission would like to build a bridge at the Chepachet River to beautify the Town.

Due to many ongoing projects, L. Nichols stated that the Commission should consider changing their meeting schedule to twice per month. Councilor W. Steere stated that L. Nichols would have to ask the other members of the Commission if they agree. T. Kane, Assistant Town Solicitor, stated that he will review the Ordinance to determine if this can be done.

- C. Councilor W. Steere stated that Anthony Parrillo, Recreation Director, has expressed interest in instituting a “carry in - carry out” policy at the Town beaches. Councilor W. Steere asked Tim Kane, Assistant Town Solicitor, if this would have to be approved by the Town Council. T. Kane suggested that the Council approve something like that. A. Parrillo stated that he would still have trash receptacles in the parking lots, but not on the beaches, due to the unpleasant smell. A. Parrillo stated that it is an issue of health and safety.

T. Kane stated that if that is the extent of it, he suggests that the Recreation Commission go ahead with it and the policy be formalized at the next Town Council meeting. Jean Fecteau, Town Clerk, quoted the Ordinance pertaining to Town Recreation Areas as follows: “All refuse and waste shall be deposited in the receptacle provided for that purpose and shall not be left on the ground.” A. Parrillo stated that he will move the trash can from the beach to the parking lot and see if there are any complaints.

Councilor W. Steere commented that Winsor Park is in pretty good shape overall, however the road leading into the park is a disaster. Councilor W. Steere stated that this needs to be addressed as the park gets a lot of use. A. Parrillo agreed, but expressed concern that if the road is paved, drivers will speed. Councilor W. Steere stated that there were speed bumps in the past, and there are gates which could be locked at night. A. Parrillo stated that he will discuss the matter with the Public Works Director.

- D. Steve Mitchell, Vice-Chair of the Land Trust, reported that the Land Trust has an inordinate amount of work to do, especially putting systems in place. S. Mitchell stated that the Land Trust’s website has been updated and modernized, including a newly adopted Mission Statement and photos of the Land Trust properties. S. Mitchell also reported that the Land Trust is moving forward with regard to accreditation, for which they could be considered in 2015 at the earliest. S. Mitchell commented that there is a

lot of work to prepare for that process, adding that the Land Trust has the opportunity to consult an attorney from the State Land Trust who has dedicated a minimum of 30 hours to review procedures and protocol.

S. Mitchell stated that the Land Trust is expending much time to accomplish things that should have been done in the past but were not, such as missing management plans. S. Mitchell stated that everything will be compiled into an official packet which will be kept at the Town Hall.

S. Mitchell noted that there are problems with people showing disregard for the Land Trust properties by using ATV's which destroy the trails and create havoc. S. Mitchell recommended that the current \$20 fine be increased to deter this activity, noting that other communities impose fines of up to \$250.

S. Mitchell stated that Land Trust Days are coming up in August and several activities are planned. S. Mitchell noted that some of the properties are in need of upkeep and repair, especially Steere Hill and Hawkins because these are the properties that people see first when they come into Town, but the Land Trust must be cautious regarding how money is spent. S. Mitchell stated that the Land Trust is looking at short-term and long-term goals, as well as budget issues such as revenues and expenses.

Councilor W. Steere asked what are the benefits of being included in the Land Trust Alliance. S. Mitchell replied that it is a rigorous process, however accreditation is part of ongoing growth and development. S. Mitchell expressed his opinion that it is worth pursuing. Councilor W. Steere asked if there are any costs associated with accreditation. S. Mitchell replied that there are annual dues.

Councilor W. Steere pointed out that there are approximately 1700 Land Trusts in this country, but only 207 are accredited. S. Mitchell stated that the seven (7) current members of the Land Trust are very determined to move forward in this process because everything will be codified. Councilor W. Steere stated that rigorous rules and regulations can be put in place without expending so much energy on something for which the tangible benefits are unknown.

S. Mitchell replied that it is worth while to investigate. S. Mitchell added that the Town Council appointed the Trustees to do the best possible job they can do on behalf of the citizens of this community. S. Mitchell stated that the Land Trust will keep the Council informed of their progress.

- E. Edna Kent, Town Historian, stated that she assists people from all over the country with regard to researching their ancestry. One person was able to obtain D.A.R. designation with E. Kent's help and showed appreciation by sending her a packet of information about the Four Winds Indian Trading Post in Montana. E. Kent shared the information with the Council.

Council Correspondence/Discussion

- A. Councilor Sette stated that the Council received a request from the Davis Mobile Home Park for the use of the Senior Center on August 1st. Councilor Sette noted that the Council will not have the opportunity to approve the request as this is the date of the next Council meeting. Jean Fecteau, Town Clerk, stated that per the adopted policy, the Council does not have to approve the request, but any non-Town group must get a Council member, Senior Center Board of Directors member, or the Town Clerk to sponsor them. J. Fecteau noted that another request was received for the same evening. Councilor W. Steere recommended that in the case of a conflict such as this, one of the Town Hall conference rooms could be used.
 - B. Councilor W. Steere stated that correspondence was received from the RI Department of Transportation regarding the approved budget which includes a revolving grant fund for road construction. Councilor W. Steere explained that the proposed budget allowed for funding for each city and town, but this was changed to the revolving fund for which we would have to go out to bid and the grant would have to be paid back. Councilor Sette commented that there is little chance that smaller communities will access these funds.
 - C. Councilor W. Steere stated that a letter was received from Baxter, Dansereau & Associates notifying us that they are about to begin their audit.
 - D. Councilor W. Steere stated that a letter was received regarding the PILOT Agreement between the Town and Factory Mutual.
 - E. Councilor W. Steere stated that correspondence was received regarding two roads. A note of appreciation was received regarding the DPW's work on Waterman Lake Drive and a letter of concern was received regarding a possible safety issue on Aldrich Road. J. Fecteau stated that the Public Works Department has received several calls from the resident on Aldrich Road. J. Fecteau stated that Chief DelPrete is going to investigate to determine if the matter should be referred to the Safety Commission.
 - F. Councilor W. Steere stated that a response was received from the Superintendent of the Region with regard to the Parade Committee's invitation for the band to march in the Fourth of July Parade. The response was that most of the teachers and students had plans for the holiday and would not be able to participate.
- X. Open Forum
- A. Marie Sweet, of Chestnut Hill Road, representing the Heritage Society, stated that a walking tour will be conducted by the Blackstone Valley National Heritage Corridor Rangers on August 1st. M. Sweet stated that the Evans Schoolhouse will be open to the public on August 3rd. M. Sweet noted that a book-signing will be held on August 10th at the Job Armstrong Store and Heritage Day is scheduled for September 22nd. M. Sweet stated that, in September, the URI Master Gardeners will be planting an elm tree in front of the Ruben Mason House, the first elm tree planting in Glocester in several hundred years.

M. Sweet commended the Land Trust for addressing the issue of ATV's and the damage they cause on the properties.

- B. Rose LaVoie commented that she has difficulty hearing the Council members and requested that they place their microphones in front of them when speaking.

R. LaVoie spoke about Linda Nichols, stating that she is doing a great job. R. LaVoie agreed that committee members should be screened to ensure that they are willing to pitch in and do the work.

R. LaVoie stated that it was refreshing to hear about all of the things that the Land Trust is doing. However, she took exception to their policy of not allowing people to speak during the meeting, stating that she appreciates being allowed to get up and speak about something that the Council is discussing.

R. LaVoie thanked Jean Fecteau and Mike DeGrange for their efforts in making sure that the Parade took place. R. LaVoie stated that it was a wonderful day, adding that it was an honor for her and Edna Kent to serve as Grand Marshals.

- C. Ron Beagan, of 154 Aldrich Road, expressed his concern about the parking situation on Aldrich Road. R. Beagan distributed photos to the Council which depict cars parked on both sides, causing him difficulty exiting his driveway. R. Beagan also voiced concern that emergency vehicles would not be able to access his property or that of his neighbor at 159 Aldrich Road. R. Beagan requested that "No Parking" signs be placed on one side of the road. Joseph DelPrete, Chief of Police, stated that he and the Harmony Fire Chief have viewed the area and a Safety Commission meeting will be scheduled to discuss the matter. Chief DelPrete asked R. Beagan to attend and make his presentation.

- D. Walter Steere, Jr. spoke about car taxes, stating that the valuations decrease too slowly. For instance, W. Steere stated that people have told him that their cars are two years old and are valued at more than they paid for them. W. Steere stated that he realizes that it is the State that makes this determination, but he asked if the Council could write a letter of complaint. Councilor G. Steere stated that the Council sent correspondence a year ago regarding the methodology used by the State. Councilor Sette stated that a letter should go to our Senator and Representatives asking them to be more vocal concerning this issue.

W. Steere, Jr. stated that the Parade was a success, but he feels that there were too many antique cars on flatbeds. W. Steere stated that he would like somebody from the Parade Committee to appear before the Council to give a report regarding the carnival and their plans for next year.

XI. Seek to Convene to Executive Session

A. Pursuant to:

1. R.I.G.L. 42-46-5 (a) (2) Collective Bargaining (Clerks, Police & Dispatcher contracts) - Discussion and/or action;
2. 42-46-5(a)(1) Personnel - Discussion and/or action
3. 42-46-5(a) (5) Acquisition of Property - Discussion and/or action
4. 42-46-5(a) (2) Potential Litigation - Discussion and/or action

MOTION was made by Councilor Sette to Convene to Executive Session pursuant to:

1. RIGL 42-46-5(a)(2) Collective Bargaining (Clerks, Police & Dispatcher contracts);
2. RIGL 42-46-5(a)(1) Personnel;
3. RIGL 42-46-5(a)(5) Acquisition of Property; and
4. RIGL 42-46-5(a)(2) Potential Litigation;

seconded by Councilor G. Steere.

VOTE: AYES: W. Steere, Reichert, G. Steere and Sette.

NAYS: 0

MOTION PASSED

XII. Reconvene Open Session & Disclosure of Votes Taken in Executive Session

MOTION was made by Councilor Sette to Reconvene Open Session and to Seal the Minutes of Executive Session (Two (2) votes were taken in Executive Session); seconded by Councilor Reichert.

VOTE: AYES: W. Steere, Reichert, G. Steere and Sette.

NAYS: 0

MOTION PASSED

XIII. Adjourn

MOTION was made by Councilor Reichert to ADJOURN at 10:28 p.m.; seconded by Councilor Sette.

VOTE: AYES: W. Steere, Reichert, G. Steere and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the August 1, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **August 1, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President; George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Jean Fecteau, Town Clerk; Tim Kane, Assistant Town Solicitor; Susan Harris, Deputy Town Clerk; Raymond Goff, Town Planner; Joseph DelPrete, Chief of Police; Gary Treml, Director of Public Works; Jason Rhodes, EMA Director; David Steere, Budget Board Chair; Judy Branch, Director of Human Services; and Walter M. O. Steere, Jr., School Committee member.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open forum - Agenda Items

None

V. Consent Items - Discussion and/or Action

A. Town Council Minutes - July 18, 2013

B. Additions & Abatements (Correction of April 18, 2013 Abatement approval)

C. Pole Grant - Tourtellot Hill Road (P.47-84)

MOTION was made by Councilor Reichert to APPROVE the Town Council minutes of July 18, 2013; to CORRECT the Abatement to the 2011 Tax Roll in the amount of \$471.03; and to APPROVE the Pole Grant - Tourtellot Hill Road Pole 47-84; seconded by Councilor G. Steere.

Discussion: Councilor Burlingame stated that he must abstain as he was absent on July 18.

VOTE: AYES: W. Steere, Reichert, G. Steere, and Sette.

NAYS: 0

ABSTAIN: Burlingame

MOTION PASSED

VI. Unfinished Business

A. Board and Commissions

1. Planning Board - Discussion and/or action

One 5-year term to expire 3/2017

Councilor W. Steere stated that the Clerk has not received any new talent bank applications for this position.

MOTION was made by Councilor G. Steere to APPOINT Michael DeGrange to the Planning Board for a 5 year term to expire 3/2017; seconded by Councilor Burlingame.

Discussion: Councilor G. Steere stated that this position has been vacant for some time and since there are only six (6) members on the Planning Board, the votes are often tied 3 to 3. Councilor G. Steere noted that M. DeGrange previously served on the Planning Board and is a qualified candidate. Councilor Burlingame agreed.

Councilor W. Steere pointed out that this would make three (3) boards that M. DeGrange serves on, two (2) as chair. Councilor W. Steere added that there were extenuating circumstances due to the Parade Committee, but now that the Parade is over, M. DeGrange must decide which chairmanship to retain. Councilor W. Steere expressed concern regarding people serving on more than two (2) boards.

Councilor G. Steere noted that we have several people who are on two (2) or three (3) boards, adding that the Parade Committee is somewhat seasonal. Councilor W. Steere replied that the Parade Committee will now begin planning next year's parade. Councilor G. Steere stated that the Kent Property Oversight Committee is temporary with limited activity. Councilor G. Steere stated that these boards do not conflict with each other and it would be up to M. DeGrange to decide if he wishes to step down from either of them.

Councilor G. Steere stated that M. DeGrange stepped up to the plate when there was the possibility of not having a parade, adding that the event was planned in six weeks time. Councilor Burlingame stated that if somebody demonstrates that they can handle several positions, the Council should not impose judgement that they cannot do the job. Councilor Burlingame suggested that Mike DeGrange be appointed to the Planning Board and if any issues arise, they will be addressed.

Councilor W. Steere asked Councilor Burlingame if he is saying that it now doesn't matter how many committees a person is on. Councilor Burlingame stated "Let's agree to disagree without being personal about this." Councilor Burlingame stated that he supports the motion to appoint M. DeGrange because he is a qualified person.

Councilor Sette stated that we should let the person decide if it takes up too much time. Councilor Burlingame agreed. Councilor Sette further stated that the boards on which a person serves could decide if the member is "spreading himself too thin."

Rose LaVoie stated as she has said before, she doesn't see any conflict with someone being on multiple boards as they would have a lot to contribute. R. LaVoie commented that in recent years it has been difficult to get volunteers, therefore if somebody wishes to serve on several committees, they should be allowed to.

Councilor W. Steere stated for the record that it doesn't matter who the individuals are, it is a time issue. Councilor W. Steere noted that sometimes a person will want to serve on a board, but will later resign due to time constraints.

Bill Dupuis , of 817 Durfee Hill Road, stated that David LaPlante was appointed to the Planning Board in January but resigned shortly thereafter. B. Dupuis noted that Mike DeGrange is present and the Council should ask him if he wants the position. B. Dupuis expressed his opinion that M. DeGrange does a lot for the Town and should be allowed to serve on the Planning Board if he wishes to.

Councilor W. Steere asked Mike DeGrange if he wished to be appointed to the Planning Board. M. DeGrange replied in the affirmative.

VOTE: AYES: Reichert, G. Steere, Burlingame and Sette.

NAYS: W. Steere

MOTION PASSED

VII. New Business

A. Authorization: Agreement

1. 2013/2014 MEDS Municipality Agreement
R.I. Dept. of Health & Town of Gloucester

Discussion: Jason Rhodes, Emergency Management Director, explained that this is the annual renewal of the MEDS Agreement. J. Rhodes stated that there are four (4) deliverables this year for a total of \$4,500. J. Rhodes noted that the Code Red system can be used to advertise. J. Rhodes stated that these funds are not earmarked for anything in particular, but must be used for Emergency Preparedness. J. Rhodes pointed out that this is a not a grant, therefore reports are not necessary. J. Rhodes recommended that the Town enter into this contract.

Councilor Sette stated that he has taken the ICS courses and asked if that is useful in training. J. Rhodes replied that it is helpful to have that background.

MOTION was made by Councilor Sette to AUTHORIZE the Town Council President to sign the Agreement between the Rhode Island Department of Health and the Town of Gloucester for the "MEDS Municipality Agreement" for the contract period August 1, 2013 to May 15, 2014; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Finance Department

1. Appointment of members to Finance Director Search Committee - Discussion and/or action

Councilor W. Steere stated that at the last Council meeting, it was voted that the Search Committee would consist of certain people to be appointed tonight.

Discussion: Councilor W. Steere stated that School Superintendent, Pat Dubois, had already committed to serve on this committee. Councilor Sette stated that David Steere from the Budget Board and Russell Gross from the Personnel Board have also agreed to serve. Councilor Sette stated that Ray Goff, Town Planner, has volunteered to be the Department Head on the committee.

It was stated that Jaclynn DiPietro from the Finance Office is interested, as is Sarah Mangiarelli, Business Manager of the Regional Schools. Councilor Sette stated that this leaves one more position to be filled. Councilor G. Steere stated that he has spoken to Greg Meinertz, CPA, who had several questions regarding the search process. After discussion, there was Council consensus to appoint the other members and Councilor G. Steere will get back to G. Meinertz with more information.

MOTION was made by Councilor Sette to APPOINT:

- (1) Gloucester School Supt. Patricia Dubois;
- (2) Jaclynn DiPietro from the Finance Office;
- (3) David Steere as the designee from the Budget Board;
- (4) Russell Gross as the designee from the Personnel Board;
- (5) Ray Goff, Town Planner as the Department Head; and
- (6) Sarah Mangiarelli, Foster-Glocester School Department Business Manager;

and any ad-hoc members as may be necessary shall be called upon by Council;
seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Process & Schedule - Discussion and/or action

Discussion: Councilor Burlingame suggested that Councilor Sette meet with the Committee to set up a schedule for reviewing applications and conducting interviews. Councilor Sette stated that the Search Committee will hold an organizational meeting on August 8. Councilor Sette asked what is the Council's expectation for the Committee. Tim Kane, Assistant Town Solicitor, advised the Council to make a Motion as this would set forth a process.

MOTION was made by Councilor Sette to set a process where the Finance Director Search Committee will screen the candidates; agree on a selected group to interview; and recommend finalists to the Town Council; seconded by Councilor Burlingame.

Discussion: Councilor W. Steere asked if we have a goal date for the Committee. Councilor Sette replied that he would leave that up to the Committee.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

3. Appointment: Interim Finance Director - Discussion and/or action

Councilor W. Steere stated that per the Town Charter, in the absence of the Finance Director the Town Council is to appoint an interim Finance Director from the Finance Department.

Discussion: Councilor Burlingame noted that Jane Steere is the Deputy Finance Director, therefore she should be appointed interim. Councilor Burlingame further stated that an additional person should be authorized to sign checks. Tim Kane, Assistant Town Solicitor, stated that he will research the Charter to determine if the Interim Finance Director can designate a second person to sign checks. T. Kane stated that this will be addressed at the next meeting.

MOTION was made by Councilor Burlingame to APPOINT Jane Steere to serve as the Interim Finance Director until a Finance Director is appointed by the Town Council;
seconded by Councilor Reichert.

Discussion: Councilor G. Steere stated that Jaclynn DiPietro is familiar with the Finance Office, however since she is Union personnel, the Council could not have appointed her as Interim Finance Director. Councilor G. Steere stated that Jane Steere should be appointed for that reason also.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

Councilor Burlingame asked T. Kane to check if Viviane Valentine could also be authorized to sign checks. Jean Fecteau, Town Clerk, asked why the Council could not make that designation. Councilor Burlingame replied that it is not on the agenda. T. Kane agreed. Councilor W. Steere stated that the Council could hold an emergency meeting before the next regular meeting, if necessary. Councilor Sette suggested the Town Clerk because she is elected, therefore she is bonded when it comes to financial issues.

C. Community Development Block Grant Program

1. Formation of Gloucester Home Repair Program - Discussion and/or action

Councilor W. Steere stated that the Town has received the “go-ahead” from June B. House, AICP Supervisor, Local Government Assistance, Rhode Island Office of Housing & Community Development, Department of Administration to proceed with implementing the “Gloucester Home Repair Program.” Councilor W. Steere stated that Ray Goff and Tom Mainville have worked out a plan for this implementation, specifically listing the duties for each aspect of the program and which Department or employee shall handle that task.

Discussion: Ray Goff, Town Planner, explained that he and the Finance Director have put together a job description for the position of Clerk of the proposed Gloucester Home Repair Program.

Councilor Burlingame stated that a budget has been established whereby the Program Administrator & Housing Specialist would fall within the 20% of the administrative costs. Councilor Burlingame stated that this plan has been submitted to the State and approved. Councilor G. Steere asked if the plan has been reviewed by the Auditor General. Councilor Burlingame replied in the affirmative.

Councilor W. Steere stated that he has not seen any of this information and if he is to vote on the matter, he would like to know how the Program would be set up. Councilor W. Steere commented that one of the downfalls of the Western RI Home Repair Program was that the Board was not attached to what was going on. Councilor W. Steere stated that he wants to be sure, as we start a new program, that the investigation is over on the State level and we have a “clean slate.”

Ray Goff stated that memos were sent to the entire Council informing them of the procedures of the new program. R. Goff asked the Council to give the matter consideration. Councilor Sette asked if the person would be working under the Town Planner’s direction and if a monthly report would be submitted to the Council. Councilor Burlingame replied that a quarterly report could be filed, at minimum, adding that the string will be very tight on this program.

Councilor Burlingame referred to a recent article in the Valley Breeze in which false statements were made. Councilor Burlingame noted that the Auditor General said there was no wrongdoing, only a lack of sufficient control. Councilor Burlingame stated that now that we have the green light from the State, the individual who formerly worked in the Home Repair Office is recommended for this position at a rate of pay equivalent to a Clerk 1.

Councilor Burlingame noted that this may be less than the budget calls for. Councilor Burlingame stated that in the interest of the residents of Gloucester, we should go forward with this. Councilor Sette agreed that it is important to get the program running again because there are people waiting for assistance. R. Goff stated that he has an application in his office that is a year old but nothing can be done about it until the program is established. Councilor Burlingame stated that the process will be seamless because the recommended person worked there previously and is familiar with the program.

Councilor G. Steere agreed that we should get the program up and running. Councilor Sette stressed the importance of getting reports on a regular basis. Councilor Burlingame suggested that the Town Planner’s monthly report contain a specific section for the Gloucester Home Repair Program.

Councilor Reichert asked if the Town Council will be criticized for putting this program back together with someone who was involved in the previous program. Councilor G. Steere replied there was no wrong-doing. Jean Fecteau, Town Clerk, noted that the Town of Scituate has hired

the former chairperson of the Western RI Home Repair Program Executive Board to work for their program.

Councilor W. Steere again stated that he is not aware of the particulars of the proposed program and would want to wait until the next meeting to allow time to review the information. Councilor G. Steere stated that people have been waiting to have their homes repaired. Councilor W. Steere replied that it has been a year and another two weeks will not make a big difference.

Councilor Sette suggested picking a start date of August 7, 2013, which will allow Councilor W. Steere time to review the information. Councilor W. Steere stated that he would prefer to wait until the next meeting to vote on the matter.

MOTION was made by Councilor Burlingame to ESTABLISH the Gloucester Home Repair Program, for the implementation and management of RI Community Development Block Grant funds available to the residents of the Town of Gloucester for the purpose of home repairs, effective August 7, 2013;
seconded by Councilor G. Steere.

Discussion: Councilor Sette stated that if there are concerns in the interim, a special meeting could be convened.

VOTE: AYES: Reichert, G. Steere, Burlingame and Sette.

NAYS: W. Steere

MOTION PASSED

2. Appointment: Clerk position - Discussion and/or action

Councilor W. Steere read the following request from Ray Goff regarding the hiring of a part time program administrator for the Gloucester Home Repair Program.

TO: Gloucester Town Council, Walter M.O. Steere President
FROM: Ray Goff, Town Planner
RE: Recommendation for Staff Position – Gloucester Home Repair Program

I am recommending to the Town Council that Diane Wrona be hired as the Program Administrator for the Gloucester Home Repair Program. Diane has staffed the Western Rhode Island Home Repair Program and is familiar with the program requirements and procedures to comply with Federal and State statutes.

She will be responsible for administering the program which includes taking applications, qualifying candidates for assistance, requesting inspections of the property, putting work out to contractors and ensuring projects are done in a timely manner. Diane will work under the supervision of the Town Planner and in cooperation with the Finance Department. All financial aspects will be handled through the Finance Department but coordinated by the Program Administrator.

With Diane's experience with the program and the dissolution of the Western Rhode Island Home Repair Program and the creation of a Gloucester Home Repair Program, she is well qualified to help Gloucester transition into running our own program. I have discussed how the program will run and that she will be responsible to keep track of working hours so that we will keep within budget constraints. We plan to monitor hours and work in on a monthly and quarterly basis order to keep within the budget. Together with the Finance office we believe we can keep the program on track.

I am recommending that Diane be able to start as soon as Monday August 5, 2013 with a rate of pay of \$19.22 with her hours to average 19 per week.

(End of memo)

MOTION was made by Councilor Burlingame to APPOINT Diane Wrona to the position of Clerk, Gloucester Home Repair Program effective August 7, 2013 at the hourly rate of \$19.22; seconded by Councilor G. Steere.

Discussion: Councilor W. Steere inquired how the approximate hours were calculated. R. Goff replied that it was based on the average number of projects per year. Councilor W. Steere asked if this number of hours is guaranteed or is it based on workload. R. Goff replied that the workload will indicate the number of hours worked. Councilor W. Steere asked what was the average grant amount over the past five (5) years.

R. Goff replied that Gloucester received between \$120,000 and \$130,000. Councilor W. Steere expressed concern that we cannot go over 20% and we should try to keep the costs as low as possible and use the money to help people. Councilor W. Steere stated that at \$19 per hour, we are looking at 16% to 17%, which is cutting it close. Councilor Burlingame stated that the grant amount was upward to \$200,000.

Councilor Reichert asked what would happen if it gets slow. Councilor Burlingame replied that the position has flex hours; if the jobs are not there, the clerk would not come in. R. Goff concurred, stating that the position is 19 hours on average; it could be more and it could be less.

Jeanne Carcieri, of the Finance Department, asked if there would be a conflict due to the Clerks' Union. Councilor Burlingame explained that there is no conflict because it is a part-time position, not a Union position. J. Carcieri stated that the position was referred to as a "Clerk 1" position, but the salary of \$19.22 is that of a Senior Clerk. Councilor Burlingame stated that the reference to Clerk 1 was with regard to rate of pay; the position will not have a classification. It was stated that the employee cannot become part of the Union. It was also stated that the position has no benefits.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

D. Winsor Park Updates - Discussion and/or action

Councilor W. Steere stated that he requested this agenda item for several reasons. Councilor W. Steere commented that the road bed is atrocious and probably has not been paved in over 20 years. Councilor W. Steere asked for a timetable for corrective action. Councilor W. Steere stated that there were also problems with regard to grass-cutting and trimming, but those issues have been resolved.

G. Treml, Public Works Director, explained that the first week, somebody from Recreation was supposed to work but did not because Anthony Parrillo, Recreation Director, was not here. Councilor W. Steere stated that the main issue is the road bed and asked how do we get that solved. G. Treml, Director of Public Works, stated that either he picks a street or he picks Winsor Park. G. Treml noted that by Thanksgiving, the asphalt plants will be closed.

Councilor G. Steere asked if G. Treml could grind and grade the road. G. Treml responded that the problem is that the road is too low and would have to be built up. G. Treml stated that if the Council directs him to do that, he will have to put something else off. G. Treml noted that this could be done after the asphalt plants close, provided the weather stays nice and we don't get any frost. Councilor Burlingame stated that since G. Treml is already committed to a paving schedule, he should adhere to it and do Winsor Park on a contingency basis.

Councilor W. Steere stated that when the road was paved 20 years ago, there were speed bumps and a gate. Councilor W. Steere stated that we need to do something there because parts of the road are in deplorable condition. Councilor Reichert agreed that the road is too low and if it is paved, the water will just crack it. Councilor Burlingame stated that he would rather see it done right and suggested that it be scheduled for next year. Councilor W. Steere stated that he receives quite a few phone calls from people who use that road and recommended that we resolve the issue on a temporary basis.

Councilor Sette spoke about the right-of-way and expressed concern that if the road is fixed, heavy trucks will come through and tear it up. There was discussion regarding different types of material used to patch roads. Councilor G. Steere again suggested grinding the road but stated that he does not want to put a lot of time into it, as there are many road that need paving.

Councilor Burlingame asked G. Treml what his department is working on now. G. Treml stated that they are working on Old Snake Hill Road, with about 1000 feet remaining. G. Treml stated that next he will be doing Cody Drive and Gold Mine Road. Councilor Sette commented that Cody Drive is right next to Winsor Park and asked if it would be possible to do the work at that time. G. Treml stated that it would take several days and he expects Gold Mine Road to be a challenge.

Councilor G. Steere stated that he feels it is more important to get the roads done during the paving season and work on Winsor afterward. Councilor Burlingame stated that he has been getting calls regarding Gold Mine Road. Councilor W. Steere commented that more people use Winsor Park Road than Gold Mine. Councilor Sette suggested that the Public Works Department

grind Winsor Park when they are doing Cody Drive, then after the season, we can decide how to proceed.

Judy Branch stated that she travels the road into Winsor Park several time a week and stated that the holes are so big that one must drive in the woods on either side to pass by. J. Branch also noted that 50 cars a night use the road. J. Branch commented that if the Town offers a place for recreation, it should be easily accessible.

Walter Steere, Jr. stated that the road was put in along with a retention pond in 1970. W. Steere, Jr. stated that the drainage has not been maintained over the years. W. Steere, Jr. agreed that the road is low, but stated that many of the Town's roads are also low. W. Steere, Jr. recommended that the road be repaired after the season when there won't be much traffic into the park.

Councilor W. Steere summarized that the Public Works Director will fix a small section now on a temporary basis and we will look at paving in the future.

There was discussion regarding the right-of-way. Councilor W. Steere stated that he has been back there and nothing has been done. Tim Kane, Assistant Town Solicitor, stated that this matter is on the agenda for Executive Session.

E. Gloucester Licensing Board

1. Alleged Violations (Rec & act on recommendation) - Discussion and/or action

Councilor W. Steere stated that Chief DelPrete has notified Council of two incidents that recently occurred and is submitting his recommendation for approval by the Council acting as Licensing Board:

a. Pinewood Pub

To: Honorable Town Council
From: Joseph DelPrete
Date: July 26, 2013
Subject: Liquor Violation

On Wednesday July 25, 2013, members of the Gloucester Police Department conducted an alcohol compliance check (survey) of the Pinewood Pub restaurant. The female bartender served alcohol to an undercover officer and underage decoy without asking for any forms of identification. The Pinewood Pub's last alcohol infraction was on September 29, 2011 where they were fined \$150.00 for a second violation within a sixteen month period, and required all employees as condition of the Pinewood Pub Class BV liquor license attend an alcohol server/seller awareness training school.

On Thursday July 26, 2013, Mr. William Kapanakis was informed of the violation by Lieutenant Fague and provided the identity of the bartender.

Since that date, Pinewood Pub has not had any alcohol violations or incidents. Chief DelPrete spoke with Mr. Kapanakis about the recent underage serving violation. He was

advised that any future infractions or incidents would result in a recommendation to the licensing board a fine and or suspension of their Class BV Liquor license. Furthermore, Mr. Kapanakis agreed that the involved bartender if continuing to serve alcohol attend an alcohol server/seller awareness training seminar such as S.T.O.P. or T.I.P.S within 30 days of this letter. Certification of this training will be provided to the Chief of Police and the Town Clerk.

Mr. Kapanakis was also advised that the Gloucester Town Council could approve or reject this agreement at the next town council meeting. You also waive any rights to a formal hearing on the said violation; and any future violations could result in a fine, suspension, or revocation of your Class BV Liquor license. (To be signed by owner of establishment)
(End of memo)

Discussion: Joseph DelPrete, Chief of Police, stated that the requirements have been met and a hearing has been waived. Chief DelPrete further stated that certifications of alcohol training have been submitted.

MOTION was made by Councilor Sette to ACCEPT the recommendation of the Chief of Police for the resolution of a violation at Pinewood Pub that occurred on July 25, 2013; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

b. Snow's Clambox

To: Honorable Town Council
From: Joseph DelPrete
Date: July 26, 2013
Subject: Liquor Violation

On Wednesday July 25, 2013, members of the Gloucester Police Department conducted an alcohol compliance check (survey) of the Snows Clam box restaurant. The female bartender served alcohol to an undercover officer and underage decoy without asking for any forms of identification.

On Thursday July 26, 2013, Mr. Robert Zalewski was informed of the violation by Chief DelPrete and provided the identity of the bartender.

Chief DelPrete spoke with Mr. Zalewski about the recent underage serving violation and was advised that any future infractions or incidents would result in a recommendation to the licensing board a fine and or suspension of their Class BV Liquor license. Lt. Fague also advised Mr. Daniel Saad of the violation. Mr. Zalewski advised Chief DelPrete he and

his partner Daniel Saad understood the potential penalties on their liquor license and that the bartender in question has since been terminated.

Mr. Zalewski you are advised that the Gloucester Town Council based on this violation could take further action on your Class BV Liquor license at the next town council meeting. You also waive any rights to a formal hearing on the said violation and any future violations could result in a fine, suspension, or revocation of your Class BV Liquor license.
(To be signed by owner of establishment)

(End of memo)

Discussion: None.

MOTION was made by Councilor G. Steere to ACCEPT the recommendation of the Chief of Police for the resolution of a violation at Snow's Clambox that occurred on July 25, 2013; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

F. Boards & Commissions

1. Community Resource Commission

a. Resignation

1. One Alternate position to expire 1/1/2015

Councilor W. Steere stated that the Clerk has received a resignation, via email, from Ron Riccitelli (an Alternate member of the Community Resource Commission). Resignation is on file in the Town Clerk's office.

MOTION was made by Councilor G. Steere to ACCEPT the resignation of Ron Riccitelli from the Community Resource Commission for an Alternate position to expire 1/1/2015; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

b. Appointments

2. Two Alternate positions to expire 1/1/2015

Councilor W. Steere stated that the Chair of the Commission has recommended two names from the Talent Bank listing: Roy Anderton & Joel Niedel-Gresh .

MOTION was made by Councilor Sette to APPOINT Roy Anderton as Alternate #1 & Joel Niedel-Gresh as Alternate #2 on the Community Resource Commission for terms to expire 1/1/2015; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VIII. Department Head Report/Discussion Bds. & Commissions - Discussion

- A. Judy Branch, Director of Human Services, stated that new flooring has been installed in the Human Services Office. J. Branch noted that this will help her department to join the Rhode Island Food Bank, which will help save money on food purchases. J. Branch explained that this would allow her to buy food for 10 cents a pound. Councilor W. Steere asked if we still have 100 families that need assistance. J. Branch replied that she has over 100 open files and continues to get new people every week. J. Branch noted that the Food Bank has been receiving produce from the Community Resource Commission's garden on Route 94.

- B. Joseph DelPrete, Chief of Police, stated that the Safety Commission recently met regarding a parking situation on Aldrich Road. The Commission unanimously voted to send a letter to the residents informing them that parking is only allowed on one side of the street. Chief DelPrete stated that the situation will be reviewed on Labor Day, adding that if necessary, the matter will be brought back before the Council at that time.

- C. Linda Nichols, chair of the Community Resource Commission, reported that she has been in contact with Target regarding possible donations of food, gift certificates, etc. L. Nichols stated that the company has offered to donate to the Food Bank any products which have damaged packaging and cannot be sold. L. Nichols further stated that Target employees have volunteered to work in the community garden on August 16th. L. Nichols stated that she plans to contact Walmart next.

L. Nichols gave a report on the Commission's upcoming projects and past successes. L. Nichols expressed appreciation to Ray Goff, Town Planner, for his assistance. Councilor W. Steere commended L. Nichols and the Community Resource Commission for the amount of work they have done since it was established five (5) years ago.

- D. Mike DeGrange, chair of the Parade Committee, reported that the Carnival raised \$1400, despite the short notice and hot weather. M. DeGrange expressed hope that next year with more planning, more money can be made. M. DeGrange thanked the members of the Parade Committee for their hard work, stating that the parade would not have been possible without their efforts. Councilor W. Steere also expressed appreciation. Councilor G. Steere stated that he attended several of the Parade

Committee meetings, adding that the members were very enthusiastic. M. DeGrange stated that there will be fund-raising events throughout the year to raise money for next year's parade. The Council members thanked M. DeGrange for his efforts. M. DeGrange thanked Joseph DelPrete, Chief of Police and Chief Dauphinais of the Chepachet Fire Department for their assistance on the 4th of July. Councilor W. Steere commented that it was a Town-wide team effort.

M. DeGrange spoke about the Kent Property, stating that he will contact Norbert Therrien regarding the septic design which was approved at the last Council meeting.

Council Correspondence/Discussion

- A. Councilor Sette spoke about volunteer recognition, stating that years ago, a member of a Board or Commission and a private citizen would be honored for their service. Councilor Sette suggested that the Council reinstate this practice. Councilor Burlingame agreed.
- B. Councilor W. Steere stated that correspondence was received from DEM regarding the appointment of a Tree Warden. Councilor W. Steere explained that since our Tree Warden resigned, we only have a Deputy in place. The State is directing us to appoint a licensed arborist to serve as Tree Warden by 2014. Councilor Burlingame suggested going back to DEM to obtain names of qualified candidates for this position. Councilor G. Steere pointed out that the letter indicated that a list of licensees is available.
- C. Councilor W. Steere stated that a letter was received from a taxpayer with regard to a disability exemption. The individual was present and was advised that this matter will be on the agenda for discussion at the next Town Council meeting.
- D. Councilor W. Steere stated that a donation request was received from Rally 4 Recovery regarding National Recovery Month. Councilor W. Steere stated that a rally will be held at Roger Williams Park on Sept. 21, 2013.
- E. Councilor W. Steere stated that correspondence was received from the Rhode Island Medical Society. Councilor Sette explained that this pertains to the disposal of unused prescription medications. Councilor Sette stated that drop boxes are placed at local police stations for this purpose and the medications are picked up and destroyed.

IX. Open Forum

- A. Rose LaVoie complimented the Town Council on making appointments to Boards and Commissions. R. LaVoie commented on the large number of Police officers and vehicles that are present at the road construction project in the Village. R. LaVoie expressed her opinion that this is money wasted.

R. LaVoie asked if we still have an Economic Development Commission. Councilor W. Steere replied that the EDC is inactive at this time. R. LaVoie stated that there is so much undeveloped property in Glocester and suggested that the EDC begin meeting again.

R. LaVoie stated that before resigning, Bruce Payton was our Tree Warden, and he had offered to work with DEM to clean up the river so that the waterfall would be visible. R. LaVoie feels that a group should get together and do it. Councilor W. Steere stated that this is one of the first things the Community Resource Commission looked into when they were established five years ago, but were stonewalled by DEM. Rose LaVoie commented that we are lucky to have so many dedicated volunteers in this Town, such as Linda Nichols.

B. Walter Steere, Jr. spoke about the road construction, stating that D'Ambra has begun working during the day. W. Steere, Jr. stated that there are two (2) lanes open and the traffic is moving, but he wondered if they will be working during the daytime for the rest of the project. W. Steere, Jr. expressed concern that when the construction reaches the intersection, traffic will get backed up.

X. Collective Bargaining-
Seek to Convene to Executive Session

MOTION was made by Councilor Sette to Seek to Convene to Executive Session:

A. Pursuant to:

1. R.I.G.L. 42-46-5 (a) (2) Collective Bargaining (Clerks, Police & Dispatcher contracts) - Discussion and/or action;
2. 42-46-5(a) (1) Personnel - Discussion and/or action
3. 42-46-5(a) (2) Potential Litigation - Discussion and/or action
4. 42-46-5(a) (9) Collective Bargaining-Grievance - Discussion and/or action

Seconded by Councilor Burlingame.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

XI. Reconvene Open Session & Disclosure of Votes Taken in Executive Session

MOTION was made by Councilor Sette to Reconvene Open Session and to Seal the Minutes of Executive Session. One vote was taken in Executive Session and the Town Clerk was authorized to communicate the motion to the appropriate department; seconded by Councilor Burlingame.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

XII. Adjourn

MOTION was made by Councilor Reichert to ADJOURN at 10:01 p.m.; seconded by Councilor Burlingame

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the August 15, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **August 15, 2013**

I. Call to Order

The meeting was called to order at 7:00 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President (arrived at 7:40 p.m.); George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Jean Fecteau, Town Clerk; Tim Kane, Assistant Town Solicitor; Joseph DelPrete, Chief of Police;

After Executive Session: Jane Steere, Interim Finance Director; Gary Treml, Director of Public Works; David Steere, Budget Board Chair; Judy Branch, Director of Human Services; and Walter M. O. Steere, Jr., School Committee member.

III. Seek to Convene to Executive Session Pursuant to:

A. MOTION was made by Councilor Sette to ADJOURN to Closed Executive Session pursuant to 42-46-5(a) (9) Collective Bargaining-Grievance and 42-46-5(a) (2) Collective Bargaining, Clerks, Police & Dispatcher contracts negotiation; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

IV. Reconvene Open Session & Disclosure of Votes Taken in Executive Session

MOTION was made by Councilor Sette to Reconvene Open Session; to disclose that one (1) vote was taken in Executive Session; and to SEAL the minutes of Executive Session; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

MOTION was made by Councilor Sette to move two (2) items (Collective Bargaining) to the end of the meeting; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

V. Pledge of Allegiance

The Pledge of Allegiance was recited.

VI. Open forum - Agenda Items

None

VII. Citation

A. Eagle Scouts: Nathan DeCotis; Benjamin Duhaime; Brandon Deschenes; Frank Guilmette

Councilor W. Steere stated that we have received an invitation to an Eagle ceremony for four scouts from Troop #1, No. Scituate to be held on Saturday, August 17th at the No. Scituate Community Center.

Councilor G. Steere read the following Citation into the record:

Citation of the Gloucester Town Council
for
Boy Scout Troop #1, No. Scituate, Rhode Island
in recognition of it's scouts achieving the highest ranking honor of
Eagle Scout
in the
Boy Scouts of America.

To achieve this award Nathan DeCotis, Benjamin Duhaime, Brandon Deschenes, & Frank Guilmette did work diligently and consistently for several years, have been leaders of other young men and are followers of good examples set forth in Scouting.

The Town Council, Town Clerk and citizens of Gloucester are proud to have these members of Boy Scout Troop 1, No. Scituate, as members of our community.

Proposed this 15th day of August, 2013 by
Walter M. O. Steere, III, President
Gloucester Town Council
Jean M. Fecteau, CMC, Town Clerk

seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VIII. Consent Items - Discussion and/or Action

A. Town Council Minutes - August 1, 2013

B. Tax Assessors Additions & Abatements

C. Finance Director's Report: May - July 2013

MOTION was made by Councilor Reichert to APPROVE the Town Council Minutes of August 1, 2013; to APPROVE the Abatement to the 2011 Tax Roll in the amount of \$299.25; to the 2012 Tax Roll in the amount of \$279.26; the 2013 Tax Roll in the amount of \$6,861.96; and the Addition to the 2013 Tax Roll in the amount of \$4,273.33; and the Finance Director's Report for May, 2013; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

IX. New Business

A. Resident request: Tax Exemption (Veterans)

Councilor W. Steere stated that the Council has received correspondence from a resident regarding what he feels is an error in receiving the tax exemption owed to him. Councilor W. Steere stated that the Council has also received responses from the Tax Collector and Tax Assessor.

Discussion: Robert Bishandeski explained that he is currently paying \$400.00 per month toward his taxes, noting that he only receives \$710.00 monthly in disability benefits. R. Bishandeski stated that he has been disabled since June 1, 2011, but does not receive a tax exemption. R. Bishandeski asked if he could get the disability exemption back to that date.

Tim Kane, Assistant Town Solicitor, replied that the property is still in the estate of Mr. Bishandeski's father, Joseph Bishandeski, since his death. R. Bishandeski stated that, in that case, there should be no taxes on the property, as his father was tax exempt. T. Kane explained that from a legal standpoint, an estate is a different entity which is not entitled to a tax exemption.

R. Bishandeski stated that he and his sister, who lives out of state, are co-executors of his father's estate. T. Kane recommended that a deed be filed which takes the property out of the estate and places it into the names of the co-executors, after which R. Bishandeski could apply for the exemption.

R. Bishandeski stated that he does not understand why he does not already receive the exemption, since he is living there and has been paying the taxes on the property. T. Kane again explained that R. Bishandeski must get the property in his name individually to qualify for the exemption. T. Kane suggested that the estate be closed out, after which R. Bishandeski can request an tax abatement.

Jean Fecteau, Town Clerk, stated that another issue in this case is that Mr. Bishandeski feels that, once the exemption is granted, it should revert to the date on which he became disabled, which is June 1, 2011. J. Fecteau explained that the Tax Assessor's policy is to begin the exemption on the date that the Disability Waiver is received from Social Security. R. Bishandeski stated that he had no income while awaiting a decision from Social Security, therefore was unable to pay his taxes.

Councilor Burlingame stressed the importance of getting the property out of the estate and into R. Bishandeski's name and recommended that R. Bishandeski seek advice from his lawyer. Regarding the date of the exemption, Councilor Burlingame stated that we have to go by the date of the decision by Social Security.

R. Bishandeski noted that his sister is coming to Town in September and they will close out their father's estate at that time. Councilor G. Steere suggested that the lawyer look into the fact that one of the co-executors is not a resident, as that may be an issue. Mr. Bishandeski was advised to have his attorney contact the Solicitor to discuss the matter.

R. Bishandeski thanked the Council for their time.

B. Award Bid: IFB #2014-01 Roll-Off Truck - Discussion and/or action

MOTION was made by Councilor Sette to TABLE the award of IFB #2014-01 Roll-Off Truck; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. Authorize Bid extension: IFB #2001-10 Diesel and Gas - Discussion and/or action

Councilor W. Steere stated that the Council has received a signed copy of bid extension form:

May 15, 2013
Reichert and Sons Fuel Oil Co., Inc.
210 Old Snake Hill Rd
Chepachet, RI 02814

Your bid 2001-10 with the Town of Glocester RI to supply low sulfur diesel and gasoline (89 octane) at a price of \$0.085/gal over cost expires on May 31, 2013.

If you wish to extend your bid to us at original pricing and conditions you must sign the agreement below and return this letter in it's entirety to us no later than May 25, 2013. This agreement must be signed by an officer of the Company.

 X We agree to extend the above referenced bid with pricing, terms and conditions remaining the same until May 31, 2014.

 We do not agree to extend the above referenced bid.

(Legal signature of business owner)

(End of memo)

Councilor Reichert stated that he must recuse himself from this vote and/or discussion.

MOTION was made by Councilor Sette to EXTEND 2001-10 Low Sulfur Diesel & Gasoline (89 octane) at a price of \$0.085 gallon over cost, effective to May 31, 2014; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

RECUSAL: Reichert

MOTION PASSED

D. Appointment of Temporary outside cleaning company for Police Station during medical leave - Discussion and/or action

Gary Treml stated that on September 23rd, the person who takes care of maintenance at the Police Station will be going out on medical leave. G. Treml asked the Council for authorization

to seek outside cleaning services, due to tight staffing in his Department. Councilor Sette asked if we would have to go out to bid. G. Treml replied that, with the Council's permission, he would like to get some prices and determine what is available.

Councilor Sette suggested checking the State's Master Price Agreement. Councilor W. Steere asked how long the services will be needed. G. Treml replied that the employee is expected to be out eight (8) or nine (9) weeks. Councilor G. Steere asked if it is a daily position. G. Treml stated that the current employee works 16 hours per week.

MOTION was made by Councilor Reichert to explore, under the direction of the Public Works Director, the possibility of seeking temporary outside cleaning services to cover the maintenance of town buildings; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

E. Finance Office

1. Financial Signatory Authorizations - Discussion and/or action

Tim Kane, Assistant Town Solicitor, stated that Jane Steere has been appointed Interim Finance Director and must appoint an individual to sign checks when she is unavailable. T. Kane stated that the procedure is for J. Steere to designate who she wants and the Council will ratify her selection.

Jane Steere recommended an employee of the Finance Office, Jaclynn DiPietro.

MOTION was made by Councilor Burlingame to RATIFY the Interim Finance Director's recommendation for signatory authorization; seconded by Councilor Sette.

Discussion: Councilor Reichert asked if there should be two (2) other people authorized to sign checks. Jane Steere replied that in the past, there has always been one, adding that when the Finance Director was not available to sign, she would do so as Deputy.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

F. Save the Lakes Committee- Discussion and/or action

As no one was present, MOTION was made by Councilor Sette to TABLE the discussion regarding Save the Lakes Committee; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

G. Volunteer Recognition and Nomination of Deserving Residents and/or Bd. or Commission members - Discussion and/or action

MOTION was made by Councilor Sette to NOMINATE Linda Nichols for a Volunteer Recognition Award; seconded by Councilor Reichert.

Discussion: Councilor Sette commented that L. Nichols deserves this award for all of her hard work and enthusiasm. Councilor Sette stated that it is important to recognize people for their efforts. Councilor W. Steere asked if this should be done at a certain time of the year, or as things happen. Jean Fecteau, Town Clerk, stated that in the past, awards were given every September. Councilor Sette expressed his opinion that we should not limit it to an annual occasion.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

H. Finance Director Screening Committee - Discussion and/or action

1. Committee membership

Councilor W. Steere stated that the Clerk received a consensus of a majority of Councilors to add a member to the Screening Committee before their first meeting. Council now needs to ratify the appointment.

MOTION was made by Councilor Burlingame to RATIFY the appointment of Steve Mitchell to position #7 of the Finance Director Screening Committee; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: Reichert, G. Steere, Burlingame and Sette.

NAYS: W. Steere

MOTION PASSED

2. Instruction/guidance to Committee

Councilor W. Steere stated that he asked for this discussion to establish clear points for the Commission to move forward. Councilor W. Steere expressed his opinion that if a qualified candidate is not found, it would be acceptable to readvertise the position. Councilor G. Steere agreed. Councilor Burlingame also agreed, but feels that it would be up to the Committee.

David Steere, chair of the Finance Director Screening Commission, stated that this point was discussed at their last meeting. D. Steere noted that the Commission has narrowed down the candidates, but once the interviews are completed, if there is no qualified candidate, they will have to advertise again.

3. Procedure to fill position

Councilor W. Steere stated that there was some question regarding whether all Committee members are allowed to vote or only those who are Town residents. It was stated that neither the Business Manager from the Region nor the Gloucester School Superintendent reside in Gloucester.

Councilor W. Steere stated his opinion that these individuals handle a large portion of our money on a yearly basis and should be allowed to vote. Councilor W. Steere also pointed out that the Committee will only provide a recommendation to the Council, who will make the final decision. Councilor Sette agreed that the Committee members will be putting in a lot of time and should all help in making a recommendation.

Councilor Burlingame pointed out that all other Boards and Commissions that vote are required by Charter to be comprised of Town residents. Councilor Burlingame commented that for consistency purposes, it should only be residents that vote on the Selection Committee. Councilor Sette stated that the non-residents could be ad-hoc members. Councilor Burlingame agreed. Councilor W. Steere noted that a member of the Kent Property Oversight Committee is also a non-resident.

Dave Steere stated that it is rather late to be discussing this as the Committee has already had two (2) meetings where the full committee has voted. Councilor Sette asked if the process is working so far. D. Steere replied in the affirmative. The Council members agreed not to interfere and to leave the committee as is.

I. Town Coordinator/Manager discussion and or action

Councilor Sette abstained from the following discussion.

Councilor W. Steere stated that he requested this discussion because he feels that there is a disconnect between the Department Heads and the Town Council. Councilor W. Steere noted that this is not anybody's fault, it is just the way things are structured. Councilor W. Steere stated that the Council members are not here every day and a level of management is missing.

Councilor W. Steere pointed out that there are only five (5) municipalities in the State that do not have a Mayor, Administrator or Manager. Councilor W. Steere stated that we have a good group of people and it has worked so far, but we must look to the future.

Councilor W. Steere further stated that the Finance Director's position has a broad spectrum of duties, including Human Resources issues. Councilor W. Steere noted that if somebody else handled Human Resources, it would allow the Finance Director to devote more time to finance matters.

Councilor Reichert stated that he absolutely agrees. Councilor Reichert stated that this has been discussed over the years and he feels that we need somebody here to add a level of communication. Councilor Reichert stated that we miss out on things, such as certain programs, by not having somebody here full time.

Councilor Burlingame stated that the Council had this discussion many years ago and noted that a Charter amendment would be required. Councilor Burlingame stated that the Charter must be amended with regard to the Land Trust and recommended that a Charter Commission be appointed to consider these changes, along with other things.

It was stated that the Charter was last amended in 2008, therefore it is time for a five-year review. It was further noted that any proposed changes could be placed on the ballot for the 2014 Election. Jean Fecteau, Town Clerk, stated that we would have to advertise for candidates now because the amendments would have to be submitted by August of next year. There was Council consensus to address this at the next Council meeting.

J. Town Transfer Station/ Future Plans discussion and or action

Councilor W. Steere stated that work is planned for the Transfer Station and we must decide how we want to handle trash in the future. Gary Treml, Director of Public Works, stated there are funds in this year's budget for Transfer Station Upgrades. G. Treml noted that our recycling numbers are not where they should be.

G. Treml spoke about the pay-as-you-throw program, stating that it would reduce our trash and save the Town money. Councilor Sette stated that he has always been an advocate of single-

stream recycling and suggested that we consider it. G. Treml stated that the bottle and paper containers would have to be replaced, adding that he has money in the Budget if the Council would like to consider this option.

Councilor W. Steere stated that the rest of the State has single-stream recycling and recommended that we begin the process of changing over. Councilor G. Steere commented that this might be a good first step to try instead of pay-as-you-throw. The other Council members agreed.

MOTION was made by Councilor G. Steere to AUTHORIZE the Director of Public Works, when making purchases for changes to the transfer station in the future, to purchase bottle containers as needed to move towards the implementation of single-stream recycling; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

K. Appointment:

1. 2014 Tree Warden - Discussion and/or action

Councilor W. Steere stated that the Department of Environmental Management has sent a list of licensed arborists from which the Council may choose a Tree Warden. Councilor Sette stated that he knows several of the people and will contact them to see if they would like to serve in that capacity.

X. Department Head Report/Discussion Bds. & Commissions - Discussion
Council Correspondence/Discussion

- A. Gary Treml, Director of Public Works, expressed thanks to Mr. Lyons for the ad he placed in the paper regarding the roads in the Waterman Lake area. G. Treml stated that the FEMA reimbursement (for storm damage) paperwork has been completed.

Councilor W. Steere stated that correspondence was received from a resident of Appleton Lane regarding grass mowing and sinkholes. G. Treml stated that he does not have the manpower to mow the retention ponds in town.

G. Treml questioned who will be responsible for removing snow from the new sidewalks in Town. It was stated that snow removal equipment could damage the surface of the sidewalks. Different options were discussed. Councilor W. Steere stated that this will be on the agenda for discussion at the next Town Council meeting.

- B. Steve Mitchell, Land Trust member, stated that their procedures have been revised to include an Open Forum section at the beginning of their meetings as well as at the end. S. Mitchell stated that this provides two (2) opportunities for the public to express their comments and ideas. S. Mitchell stated that the Land Trust Mission Statement has been revised and the Land Trust is moving forward with the proposal for accreditation, which will be done in phases over several years.

Councilor W. Steere inquired if there is a cost once accreditation is obtained. S. Mitchell replied that, as in all organizations, there is an annual fee. Councilor W. Steere asked what the tangible benefits would be. S. Mitchell stated that it would provide additional opportunities to apply for other foundational grants. S. Mitchell stated that the Land Trust feels that this would be a long-term investment for the community. Councilor W. Steere stated that his only concern is the amount of work which needs to be done for this process. Councilor W. Steere commented that over the last 27 years, the Land Trust has been recognized as one of the best in the State.

Councilor W. Steere stated that he received a call regarding a footbridge at Steere Hill which is no longer there. Councilor W. Steere asked S. Mitchell what happened to the bridge. S. Mitchell replied that the footbridge was not in conformance with the standards, as it was very unstable. Councilor W. Steere expressed concern that there are people crossing now who could get hurt worse. S. Mitchell stated that the Land Trust was advised by the Interlocal Trust to remove the footbridge due to a potential liability issue. Russell Gross, Land Trust member, noted that according to the Land Management Plan, the footbridge shouldn't be there at all.

There was discussion between Councilor W. Steere and S. Mitchell regarding open forum at Land Trust meetings. S. Mitchell again stated that the public has the opportunity to speak both at the beginning and end of the meeting. Councilor W. Steere stated his opinion that people should be allowed to comment on items as they come up. S. Mitchell stated that the Land Trust is very flexible and they do entertain input from the public when a subject is being discussed.

- C. David Steere, chair of the Finance Director Screening Committee, asked Tim Kane, Assistant Town Solicitor, if the interviews of candidates should be conducted in Executive Session. T. Kane replied that the interviews can take place in closed session, however the applicants must be notified that they can choose to have their interviews in open session if they wish. D. Steere stated that the Committee has decided to interview in open session, but wanted to make sure that it was acceptable. T. Kane stated that, in that case, the applicant does not have a choice.
- D. Councilor W. Steere referred to a letter from Lou Cadwell, who was present at the meeting. Councilor W. Steere informed Mr. Cadwell that the Council cannot take action at this time and asked if he is willing to wait. L. Cadwell replied in the

affirmative, stating that he was just present to answer any questions the Council may have.

- E. Councilor W. Steere stated that a letter was received from a resident of Appleton Lane regarding grass-cutting, which was previously discussed with the Director of Public Works.
- F. Councilor W. Steere stated that a response was received regarding the denial of a claim to replace a mailbox.
- G. Councilor W. Steere stated that the Town Clerk received correspondence regarding the Registry for Public Notice.

Councilor W. Steere stated that a letter was also received from the RI Public Housing Authority concerning two (2) bills, H5393 and S320, which were signed into law. Councilor W. Steere explained that these laws would require cities and towns to establish a public notice registry for changes to local subdivision regulations or zoning ordinances. Jean Fecteau, Town Clerk, stated that she will work with the Town Planner on this.

- H. Councilor W. Steere stated that a notice was received from Rhode Island Statewide Planning regarding a series of workshops regarding Rhode Map RI. Jean Fecteau, Town Clerk, stated that she has forwarded the schedule to the Planner's Office.

XI. Open Forum

- A. Marie Sweet stated that the Heritage Society is having a tree planting at the Ruben Mason House next month. M. Sweet stated that a Liberty Elm will be planted on September 28th at 10:00 a.m. M. Sweet stated that she has notified the newspapers and local TV stations of the event.
- B. Rose LaVoie clarified some remarks she made at the last meeting regarding the number of Police officers and vehicles at the road construction on Putnam Pike. R. LaVoie stated that her comments were not meant to be detrimental to the Police Department, but were misconstrued. R. LaVoie referred to the notice in the paper by Bob Lyons, stating that it was a nice gesture on his part. R. LaVoie asked if there will be a river clean-up.

R. LaVoie questioned the status of the re-establishment of the Gloucester Economic Development Commission. Councilor Reichert stated that this will be on the agenda for the next Council meeting. Regarding the new sidewalks, R. LaVoie commented that they are lovely, but expressed concern about how long they will hold up. Councilor

Reichert explained that they are solid concrete with a stamped design, therefore they are very durable.

- C. Tom Sanzi stated that historical tours will resume upon completion of the road and sidewalks in the Village. T. Sanzi commented that the lamp posts will look very nice, especially during Candlelight Shopping. Councilor Sette noted that a Redevelopment Grant is paying for the period lighting in the Village.

MOTION was made by Councilor Burlingame to RECONVENE Executive Session Pursuant to R.I.G.L. 42-46-5(a)(2) Collective Bargaining, Clerks, Dispatchers, & Police; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

After Executive Session:

MOTION was made by Councilor Burlingame to Reconvene Open Session; to disclose that no votes were taken in Executive Session; and to SEAL the minutes of Executive Session; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

XII. Adjourn

MOTION was made by Councilor Reichert to ADJOURN at 9:27 p.m.; seconded by Councilor G. Steere.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the September 5, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **September 5, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President; George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Jean Fecteau, Town Clerk; Tim Kane, Assistant Town Solicitor; Joseph DelPrete, Chief of Police; Jane Steere, Interim Finance Director; Gary Treml, Director of Public Works; Anthony Parrillo, Recreation Director; and Walter Steere, Jr., School Committee member.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum - Agenda Items

None

V. Consent Items

A. Approval of Town Council Minutes of August 15, 2013

MOTION was made by Councilor Sette to APPROVE the Town Council Minutes of August 15, 2013; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VI. Unfinished Business

A. Appointment:

1. 2014 Tree Warden - Discussion and/or action

Councilor W. Steere asked if the Councilors had any recommendations.

Councilor G. Steere stated that he has spoken with two (2) local people, Jim Giarrusso and Mark Krawiec, but they both responded that they are too busy to take on the position. Councilor G. Steere noted that Jim Poole, of Scituate, has offered to take the unpaid position if we cannot find a Gloucester resident. Councilor Burlingame stated that there is no residency requirement.

Jean Fecteau, Town Clerk, stated she would send a letter to each of the Gloucester residents on the list which was provided by the State. The Council members felt that this was a good idea.

MOTION was made by Councilor G. Steere to send a letter to the Gloucester residents who are on the list of licensed arborists; seconded by Councilor Sette.

Discussion: None

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Presentation: Save the Lakes Committee - Discussion and/or action

Judy Colaluca, Chair of Save the Lakes, explained that Save the Lakes was established in 2008. J. Colaluca stated at that time the Smith and Sayles Reservoir was filled with weeds and the Sand Dam Reservoir Association had no where to turn for help. J. Colaluca noted that the Save the Lakes Committee is not affiliated with Save the Bay.

J. Colaluca stated that there are presently 20 associations across the state, adding that their main goal is education with regard to managing the lakes. J. Colaluca stated that this summer, the Committee has started boat inspections at the State ramps in conjunction with DEM. J. Colaluca explained that invasive weeds are spread from pond to pond by boats, kayaks, and trailers.

J. Colaluca stated that she is looking for support from the Town Council, adding that property owners on the lakes pay more taxes and if the lakes are rendered unusable, there would be a financial loss. J. Colaluca stated that on Sept. 19th at 4:00 PM, Kate Brock from the Governor's office will be at the boat ramp on Sand Dam Road to witness a boat inspection station. J. Colaluca distributed information to the Council and asked if there were any questions.

Councilor Burlingame asked if there are signs posted at all boat ramps in Gloucester. J. Colaluca replied in the affirmative. Councilor Sette recommended that the Council prepare a Resolution of support to be sent to other communities that have lakes and ponds. J. Colaluca stated that this would be very helpful and she would appreciate it.

MOTION was made by Councilor Sette to send to other communities a Resolution of Support for Save the Lakes; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Councilor W. Steere suggested that J. Colaluca contact the Land Trust and ask for their support.

C. Bid Award

1. IFB 2014-02 Roll off Cab/Chassis/Body - Discussion and/or action

Councilor W. Steere stated that a meeting was held by the Board of Contracts and Purchases September 3, 2013, two bids were received and referred to the Public Works Director. Per the Public Works Director neither bid appeared to be compliant with the bid specs. The Public Works Director would like to advertise a new bid.

No further action necessary for IFB 2014-02.

MOTION was made by Councilor G. Steere to REMOVE from the TABLE IFB 2014-02 Roll off Cab/Chassis/Body; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VII. New Business

A. Authorization: RI Renewable Energy fund Pre-Development Application
From RIEDC re: Smith & Sayles Reservoir- Discussion and/or action

Councilor W. Steere read the following letter written to RIEDC from Ray Goff (and Linda Nichols) which explains the authorization needed:

September 6, 2013

Rhode Island Economic Development Corporation
Attn: Hannah Morini

Dear Ms. Morini

Enclosed is the Town of Gloucester's application for the Rhode Island Renewable Energy fund. The Town is seeking \$167,309 in predevelopment funding to assist in the development of a hydroelectric facility at the Smith and Sayles Reservoir, RI Dam # 23 in Gloucester. Earlier this year we completed a feasibility study for this site. In this study, we determined that this project is technically, legally and environmentally feasible. The only real obstacle to this project going forward is the need for financing.

We believe hydroelectricity is an excellent technology to employ for municipalities because, while the payback can take years, the facility will serve the community for generations, and Gloucester is sure to realize the financial benefits of the system. The project will employ local tradesmen and will serve as a demonstration project for other communities and private parties throughout the state.

We feel that this application meets the qualifications set forth in the Rules and Regulations for the Renewable Energy Development Fund. We hope that after review of this application and associated materials, you will fund this project. If you have any questions or comments, please contact me.

Sincerely yours,
Raymond Goff
Town Planner
(end of memo)

Discussion: Linda Nichols, Community Resource Commission chair, explained that a Bill was passed making Hydro eligible for this grant. L. Nichols stated that the Commission is working with Senator Whitehouse and USDA to offset any additional costs. L. Nichols noted that the deadline for applications is October 31st. L. Nichols expressed her opinion that this is a great opportunity for the Town. Councilor W. Steere asked if L. Nichols had an estimate of how much additional funding would be needed for this project.

L. Nichols replied that the engineer has stated that we would need approximately \$100,000. Councilor G. Steere asked if this is an outright grant or a matching grant. L. Nichols replied that the grant is for up to \$200,000, adding that the Town would be responsible for any amount over that. Councilor Sette asked if a plan was submitted with this application. L. Nichols replied that the feasibility study was included. L. Nichols stated that she could ask somebody from RIEDC to come before the Council to answer any questions. Councilor Sette stated that he feels that this would be a good idea and suggested that the authorization be tabled until the next meeting.

Linda Nichols addressed Judy Colaluca regarding the Energy Saving Lighting Fair scheduled for October 26th, stating that J. Colaluca could set up a table with information concerning Save the Lakes. Councilor Reichert asked if the Lake Association is involved in the hydro-electric project. J. Colaluca replied in the affirmative, but stated that a vote has not been made pending funding sources.

MOTION was made by Councilor Sette to TABLE until the next Council meeting the discussion regarding the Economic Development Corporation and Town of Glocester, Resource Commission RI Renewable Energy Fund application for the Smith-Sayles Reservoir Hydroelectric Pre-Development Study; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

- B. Licensing Board - Request for Additional Special Event License Request
 - 1. Robert Zalewski, RMZ, LLC
 - d/b/a Snows Clambox
 - 2461 Putnam Pike - Discussion and/or action

Councilor W. Steere stated the following: in April of 2013 four liquor/victualing establishments came before Council requesting a block of special events to be held between April and mid August. Those events have occurred. The Town Clerk has not received any complaints or comments regarding these events. Mr. Zalewski is asking for an additional Special Event License for another fund raising event in September.

Council has received the application.

Discussion: Daniel Saad presented the request for a car show on behalf of Bob Zalewski, who was not present. D. Saad noted that there were no issues concerning the other events held at the establishment. Councilor Burlingame stated that he attended the last event, which was well organized and posed no problems.

Councilor Sette stated that he has no objections, but suggested that, next year, the applicant request all of his events at once to avoid having to keep coming before the Council. Councilor G. Steere recommended that the requests be made when the license is renewed, stating that all advertising could be done at once.

Councilor W. Steere asked Joseph DelPrete, Chief of Police, if he had any concerns. Chief DelPrete replied in the negative. Councilor W. Steere pointed out that there was one incident involving underage drinking and asked if the Council should look past that. D. Saad stated that the Assistant Manager on duty at the time was fired on the spot. Councilors G. Steere and Burlingame commented that there has been a resolution to the violation and it has been dealt with.

MOTION was made by Councilor Sette to GRANT the request for a Special Event for RMZ, LLC, d/b/a Snows Clambox, 2461 Putnam Pike for September 22, 2013, subject to all prior conditions set forth in April, 2013; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. Hunting Regulations - 2013/2014

1. Council Approval: Land Trust Properties/Sprague Farm Complex Hunting Regulations 2013/2014 - Discussion and/or Action

Councilor W. Steere stated that Council has received the approved Sprague Farm Complex Hunting Regulations from the Land Trust for 2013/2014 and once the Council approves the regulations the Clerk can give out the Hunter cards.

Councilor W. Steere stated the changes proposed are no shotguns may be used at any Land Trust properties and cross bow can only be used at the **Garrity Woodland & Hawkins Pond**.

Discussion: Councilor Sette stated that he has spoken with members of the Land Trust and he is comfortable with the decisions they made. Councilor Burlingame stated that the changes were made due to safety concerns at Sprague Farm. Councilor Burlingame noted that Hawkins Pond has been added to the Land Trust properties on which hunting is allowed.

MOTION was made by Councilor Burlingame to APPROVE the 2013/2014 Land Trust Properties/Sprague Farm Complex Hunting Regulations as adopted by the Gloucester Land Trust; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

2. Council Approval: Williams Mills Conservation Property 2013/2014 - Discussion and/or Action

Councilor W. Steere stated that the Conservation Commission, as stewards of the Williams Mills Conservation Property, have not recommended any changes to the regulations over previous years.

MOTION was made by Councilor Sette to APPROVE the Williams Mills Conservation Property Hunting regulations for 2013/2014; seconded by Councilor Reichert.

Discussion: Councilor W. Steere asked if a hunter card is required for Williams Mills, or is this State property. Jean Fecteau, Town Clerk, replied that her office issues hunter cards for Williams Mills. It was noted that shotgun hunting at Williams Mills is restricted to Gloucester residents only and is limited to 30.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

D. Personnel

1. Tax Assessor
 - a. Resignation - Discussion and/or action

Councilor W. Steere stated that the Council has received the resignation of the Tax Assessor, Viviane Valentine. This resignation is effective October 31, 2013.

Discussion: None.

MOTION was made by Councilor Sette to ACCEPT, with regret, the resignation of Viviane Valentine, Tax Assessor, effective October 31, 2013; seconded by Councilor G. Steere.

Discussion: Councilor W. Steere stated that V. Valentine is moving on to another phase of her life, adding that he is happy for her in that respect; however, she is a great asset to the Town and will be missed. Councilor W. Steere noted that V. Valentine has offered her assistance in searching for a replacement.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

b. Implement process for replacement search - Discussion and/or action

Discussion: Councilor W. Steere asked if there is an updated job description for this position. Jean Fecteau, Town Clerk, replied that the Personnel Office did job descriptions several years ago. Councilor Burlingame stated that we should advertise the position as soon as possible.

MOTION was made by Councilor Burlingame to AUTHORIZE the Town Council Liaison to the Finance Department to APPROVE an advertisement for the replacement of the Tax Assessor; seconded by Councilor G. Steere.

Discussion: Councilor Sette, liaison to the Finance Department, stated that he will work with V. Valentine on the advertisement.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Finance Director

a. Receive Search Comm. Recommendation & Implement Interview Process - Discussion and/or action

Councilor W. Steere stated that the Council has received two recommendations from the Finance Director Search Committee and these applicants could now be interviewed by Council.

Discussion: Councilor Burlingame stated that the interviews should be conducted as soon as possible.

MOTION was made by Councilor G. Steere to schedule interviews for Wednesday, September 11 at 7:00 p.m. and 8:00 p.m. per the recommendation of the Finance Director Search Committee; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Councilor W. Steere expressed appreciation to the Search Committee for their time and effort.

3. Personnel Hand Book - Review & Update - Discussion and/or action

Councilor Burlingame stated that the Personnel Handbook has not been reviewed in several years and he wants to make sure that all changes have been incorporated and corrections have been made. Councilor Burlingame further stated that the Department Heads should be asked if there are any issues they would like addressed.

Discussion: None.

MOTION was made by Councilor Burlingame to AUTHORIZE the Town Clerk to send a letter to Department Heads asking for input regarding the Personnel Handbook which will then be reviewed by the Town Council; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

E. Gloucester Economic Development Commission - Status of Committee
Future Plan - Discussion and/or action

Councilor Reichert stated that a resident, Dennis Cipriano, and two (2) other individuals are interested in serving on the Economic Development Commission if the Council decides to reinstate the Commission. Jean Fecteau, Town Clerk, stated that the seven-member commission was suspended on April 7, 2011, at which time there were three (3) active members and one (1) alternate member.

J. Fecteau asked if these members would be given the opportunity to serve. Councilor W. Steere commented that there were issues which resulted in the suspension, adding that the Council should consider this before acting. J. Fecteau suggested that the candidates submit Talent Bank applications.

Councilor Sette stated that if somebody is willing to get the group up and running again, he feels that it is a good idea, but at some point, the Council might want to review the charge of the Commission. Councilor Sette stressed the importance of consistency with the Comprehensive Plan, which is being reviewed and updated.

MOTION was made by Councilor Sette to reinstate the Gloucester Economic Development Commission subject to appointment of members by the Town Council. Prior members will be contacted to determine if they are interested in serving; seconded by Councilor Reichert.

Discussion: It was stated that former members who wish to serve must submit a new application.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

F. Resident Request for Taxation Abatement - Discussion and/or action

Councilor W. Steere stated that Council has received correspondence from a resident, Lou Cadwell, regarding a taxation issue.

Discussion: Councilor Sette stated that the Council has received similar requests which were denied. Councilor Sette stated that this request should also be denied, to be consistent. Councilor G. Steere noted that Mr. Cadwell did change his address, making him ineligible for the tax exemption.

MOTION was made by Councilor Sette to DENY the request for a tax abatement for Lou Cadwell; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

G. Formation of a Charter Review Commission (9 members per Charter)
1. Discussion re: Charge & Process

The Town Charter states:

C14-11:

This Charter may be amended or a new Charter adopted by the electors of the Town in the manner provided by the Constitution of the State. The Council shall every fifth year after the adoption of the charter, or more often if it is deemed necessary, appoint a Study Committee of nine members, who shall at the time of their appointment and during the term of service be qualified electors of the Town, to review this Charter. Said Committee shall within six months of its appointment submit to the Council a report with its recommendations for amendment(s), addition(s), or deletion(s).

(end)

The Town Clerk noted a charter review was last done, by committee, in 2008.

Discussion: There was discussion concerning the procedure to appoint members of the Charter Review Commission. It was stated that each Council member will receive a list of candidates from which nine will be chosen to serve.

MOTION was made by Councilor Burlingame to CONVENE the 2013/2014 Charter Review Commission for the purpose of reviewing the Home Rule Charter and presenting recommendations for deletions, additions, or amendments to the Town Council at the end of a six month period; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Appointments - Discussion and/or action

MOTION was made by Councilor Sette to TABLE the Appointments to the 2013 Charter Review Committee and to AUTHORIZE the Town Clerk to advertise for volunteers; seconded by Councilor W. Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

H. Village Side Walk Maintenance - Discussion and/or action

Discussion: Gary Treml, Director of Public Works, addressed the issue of snow removal from the sidewalks, in the center of town, when they are completed. G. Treml expressed concern that snow from the road will be deposited on the sidewalks, creating a huge undertaking. Councilor G. Steere pointed out that we have never maintained the sidewalks with regard to snow removal.

G. Treml concurred, adding that he would have to get the proper equipment and the snow would have to be taken away in a truck. Councilor W. Steere stated that we said we would take care of maintenance, per a signed agreement. G. Treml stated that maintenance does not include snow removal. Councilor W. Steere disagreed. G. Treml commented that some cities have ordinances which require people to clear snow from the sidewalks in front of their houses.

Councilor Burlingame stated that it would cost thousands of dollars to have snow removed, adding that he does not want to get involved at all. Councilor Burlingame noted that the business owners will clear off their sidewalks as they always do. Councilor Burlingame further stated that the sidewalks will not be utilized much in the cold, slippery weather. Councilor G. Steere agreed that we should not get involved.

There was discussion regarding the placement of the light poles on Putnam Pike. Councilor Burlingame expressed concern that some of the poles will be damaged by snow plows. Councilor W. Steere stated that we should express this concern in writing now in case we have problems in the future. It was stated that the Town Planner will be asked to draft a memo to the Chief Engineer regarding the placement of the poles.

Rose LaVoie stated that we paid a lot of money for the engineering for this project and anybody with common sense can pick out the flaws in it. Regarding the shoveling of the sidewalks, R.

LaVoie recommended that the members of the Business Association, Heritage Society and property owners be notified of the concerns.

MOTION was made by Councilor Burlingame not to maintain the sidewalks in the Village with regard to snow removal; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

I. Community Resource Commission

1. Letter of Thanks to gardening volunteers - Discussion and/or action

Councilor W. Steere stated that there was a lot of work done by volunteers at the Community Garden this summer. Councilor W. Steere asked Linda Nichols how much food was donated as a result. L. Nichols replied that less than 300 pounds was donated. L. Nichols stated that the garden is not working out because half of the people who are supposed to be helping do not even show up.

L. Nichols stated that she asked other towns how they maintain their gardens and was told that raised beds are used. Councilor W. Steere stated that this agenda item pertains to a letter of thanks and suggested that L. Nichols speak about the garden later. Councilor W. Steere stated that businesses were involved as well as individuals and they should be thanked in writing.

MOTION was made by Councilor Sette to AUTHORIZE the Town Council president and the chair of the Community Resource Commission to draft a letter of thanks to volunteers, including any businesses that have contributed; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

J. Joint Resolution: 2013/2014 Interlocal Equipment Sharing & Personnel Interchange

Contract Burrillville, Gloucester, No. Smithfield, & Smithfield - Discussion and/or action

Councilor W. Steere stated that we have received the interlocal sharing contract. Council now needs to authorize the Town Council President to sign the agreement between the four towns.

Councilor Sette stated that he represented Gloucester at the meeting. Councilor Sette stated that it is a good arrangement and suggested that we sign the agreement.

MOTION was made by Councilor Reichert to AUTHORIZE the Town Council President to sign the 2013/2014 Interlocal Equipment Sharing & Personnel Interchange Contract between Gloucester, Burrillville, No. Smithfield, & Smithfield; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

K. Kent Drive –FM Global Property - Town Maintenance- Discussion and or action

Gary Treml, Public Works Director, stated that this property is privately owned and asked why he is expected to maintain it. Councilor Reichert explained that a portion of the road was previously maintained by the Town, but it was then purchased by Factory Mutual. Councilor Sette commented that there is a liability issue when working on private property.

Councilor Burlingame suggested that the Solicitor review the situation and report back to the Council. Councilor Burlingame further stated that when a determination is made that the property is private, the Town will not maintain it in any way whatsoever. Councilor W. Steere stated that back in 2005, Councilor Reichert asked the Council President and Town Solicitor to send correspondence to Factory Mutual requesting that they pay for the maintenance of the road or that they maintain it themselves.

Tim Kane, Assistant Town Solicitor, stated that he will review the PILOT agreement to see if there is anything regarding road maintenance. There was Council consensus to place the matter on the agenda for the next Council meeting.

MOTION was made by Councilor Burlingame to ask the Solicitor to look into the Kent Drive road maintenance issue to make a determination whether the Town has any responsibility; seconded by Councilor Reichert.

Discussion: Councilor W. Steere read an excerpt from the 2005 Town Council minutes in which this matter is addressed. T. Kane, Assistant Town Solicitor, stated that he will review the minutes.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

L. Transfer Station Hours of Operation

1. Proposed changes - Discussion and/or action

Gary Treml, Director of Public Works, stated that he has one (1) full-time worker at the Transfer Station who works Wednesday through Sunday. G. Treml stated that on Tuesdays, he must send somebody from his department to work at the Transfer Station, leaving him short-handed. Because of this, G. Treml stated that he would like to close the Transfer Station on Tuesdays.

G. Trembl pointed out that his department will have additional duties due to the new sidewalks in the Village. G. Trembl expressed his opinion that five (5) days a week is sufficient for the Transfer Station to be open.

Councilor Reichert asked if Tuesday is a slow day. G. Trembl replied that it fluctuates due to weather and other factors and added that closing the facility on Tuesdays would coincide with the employee's regular days off.

Councilor Burlingame gave the example that if 30 tons of trash is taken in during a 6-day week, that equals 5 tons per day. Councilor Burlingame noted that if the same amount is taken in during a 5-day week, it would be 6 tons per day, which would increase the workload for the employee.

G. Trembl disagreed, stating that it is still the same amount of trash per week. G. Trembl noted that it only takes 15 minutes to move a full can. Councilor Burlingame stated that he feels that there will be complaints from residents. Councilor Burlingame expressed his opinion that the Transfer Station works smoothly now and is reluctant to change anything.

Councilor G. Steere stated that he understands what G. Trembl is dealing with, especially in the summer with vacations; however, many of the people he has asked have stated that they go to the Transfer Station on Tuesdays. Councilor W. Steere pointed out that our residents do not receive many services for their tax dollars. Regarding taxes, G. Trembl noted that the taxpayers "get what they did or did not vote for."

Councilor G. Steere stated that he knows what G. Trembl is up against with regard to manpower, adding that the Public Works Department now has the added job of taking care of the grass on both sides of the road in the Village. Councilor G. Steere stated that maybe next year, we will have to hire somebody part-time to take care of the extra work. Councilor W. Steere stated that we already pay somebody to mow, but we may have to hire another person because we have extra maintenance. Councilor Burlingame agreed that we should put something in the budget next year for extra help; however he is reluctant to change anything at the Transfer Station.

Bill Dupuis, of 817 Durfee Hill Road, stated that he understands what G. Trembl is trying to do and suggested that some of the Councilors monitor the activity on Tuesdays until the next Town Council meeting, when a decision could be made. B. Dupuis feels that it is either this solution or we will have to start paying for bags. Councilor W. Steere stated that there is some validity to Councilor Burlingame's statement that by closing the Station on Tuesdays, the employee would have to process the same amount of trash in 5 days instead of 6.

Walter Steere, Jr. stated that it seems like we keep asking G. Trembl to do more work and he agrees that the extra employee is needed at the Highway Department. W. Steere, Jr. suggested that we try the 5-day schedule over the winter on a temporary basis. W. Steere, Jr. stated that he is opposed to spending more money to hire more people and he feels that most people would agree.

Charlie Wilson stated that he goes to the Transfer Station almost every Tuesday and commented that it is deserted. C. Wilson feels that closing the Station on Tuesdays would not be a major impact. C. Wilson stated that 5 days is a luxury which most towns do not have.

Councilor W. Steere commented that in the summer, an employee is needed to do mowing, and suggested that the hours go back to normal after that. G. Trembl replied that it would give him another body year -round in the event that something comes up which needs to be done. G. Trembl stated that he knows that this would be a change, but feels that people will get used to it as they have with other changes.

Councilor Sette suggested that we advertise that the Transfer Station will be closed on Tuesdays beginning in October, and see if any complaints are made. If there is not much resistance, we could try it and see what happens. G. Trembl stated that he is also obtaining information regarding single stream recycling, and suggested that the two (2) changes be implemented at the same time.

Russell Gross commented that we should cut a little bit out of the School Budget and keep the Transfer Station open the extra day.

Marie Sweet stated that she has no objection to closing the Transfer Station on Tuesdays. M. Sweet feels that this would allow the Public Works Department to perform other tasks, such as sweeping last winter's sand off the roads.

Rose LaVoie expressed her opposition to the Transfer Station closure, stating that Tuesday is the only day her son can go for her. As taxpayers, R. LaVoie stated that the Transfer Station is one of the few services we have.

Councilor W. Steere stated that we have heard many viewpoints and asked the Councilors how they wished to proceed. Councilor G. Steere agreed with Councilor Sette that we should advertise the change and see what happens. Councilor Burlingame stated that he maintains his position and will not agree to it.

MOTION was made by Councilor Sette to advertise in the Bargain Buyer that the Transfer Station will be closed on Tuesdays, beginning October 15th.

There was no second. Motion failed.

Councilor Sette suggested that we check other towns with Transfer Stations to find out how they are operated, noting that most are open 3 or 4 days per week. Councilor W. Steere asked if the Council wishes to table the matter. Councilor Burlingame replied in the negative.

M. Authorization for Payment

1. Wreaths for Chepachet Bridge - (4th of July celebration)

Councilor W. Steere stated that in June, Council agreed to pay for the purchase of wreaths to be placed on the Chepachet bridge for our fourth of July celebration. The Finance Office needs a Council motion authorizing the expenditure to pay the invoice.

MOTION was made by Councilor Reichert to AUTHORIZE payment to Christine's Flowers for wreaths used in the Town's 4th of July 2013 celebration in the amount of \$170; seconded by Councilor G. Steere.

Discussion: Councilor Sette stated that we already agreed to pay this expense. Jean Fecteau, Town Clerk, replied that it must be done with a motion per the Finance Department.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

N. Acquisition of Land

1. Recreation Property - A.P. 10A Lot 8

a. Disclose Ex. Session Motion of July 18, 2013

At the Executive Session of the Town Council meeting of July 18, 2013 the following motion was made:

MOTION was made by Councilor Sette to AUTHORIZE the Town Council President to sign the Purchase & Sales for the Hopkins property (in the amount of \$150,000) with the following contingencies: appraisal, environmental approval, & D.E.M. Grant; seconded by Councilor Reichert.

VOTE: AYES: W. Steere, Reichert, G. Steere, and Sette.

NAYS: 0

MOTION PASSED

b. Funding Source Approval - Discussion and/or action

Councilor W. Steere stated that Council has applied for and received Recreation Grant funds. Council now needs to discuss the remaining \$75,000.

Discussion: Councilor G. Steere explained that Ray Goff, Town Planner, has spoken with the owners of the property who are willing to receive the \$75,000 payment over the next three (3) years. Councilor G. Steere stated that there is approximately \$23,000 in an account which was intended for the River Walk project which could be transferred for this purchase. Councilor G. Steere stated that \$25,000 would have to be added to each of the next two (2) budgets for the remaining payments.

Councilor Burlingame asked if this could be considered a Capital Expenditure. Tim Kane, Assistant Town Solicitor, replied in the affirmative. Councilor W. Steere asked for clarification regarding the Recreation Grant, stating that he thought the amount was \$157,000. Councilor G. Steere stated that he believes it is a matching grant for the purchase of the property, and the remaining funds could be used to develop the property, beginning with a site plan.

Jaclynn DiPietro, Financial Administrative Aide, explained that the RI DEM grant amount is \$157,000 and is a 50/50 grant; therefore the Town and the State will split the purchase price of \$150,000, each paying \$75,000. Regarding the funds left over from the River Park project, J. DiPietro stated that she thinks it is approximately \$16,000. Councilor G. Steere asked how the remaining Recreation Grant could be used. J. DiPietro replied that she advised R. Goff to find that

out from DEM. Tim Kane, Assistant Town Solicitor, stated that, under the Purchase & Sales Agreement, we have until September 30th to close on the property and suggested that this matter be tabled until the next Council meeting. T. Kane further stated that the agreement will have to be amended to include the \$25,000 payments over three (3) years.

Councilor Sette asked if we can take funds which were voted on as Capital and use them for another purpose. J. DiPietro stated that she will look into it. J. DiPietro also stated that the original grant was written for another piece of property with different topography.

David Steere, Budget Board chair, stated that the grant could not exceed 50% of the total development cost, which was \$315,000 for the original property on Adelaide Road. D. Steere stated that the new property has more site issues and asked what is its total development cost. D. Steere asked where the rest of the money will come from if the development costs are higher than the original property. D. Steere commented that the grant application has a lot of "holes" in it and cautioned the Council to obtain more information before moving forward. Councilor Sette stated that he wishes to review the minutes of the Executive Session at which this matter was presented to the Council.

MOTION was made by Councilor Reichert to TABLE Funding Source Approval until the meeting of September 19, 2013; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, and Sette.

NAYS: 0

MOTION PASSED

- c. Resolution approving acquisition of Plat 10A Lot 8 for recreational purposes-
Discussion and/or action

MOTION was made by Councilor Sette to TABLE the Resolution approving the acquisition of land for recreational purposes for the Town of Gloucester, said parcel known as Assessor's Plat 10A, Lot 8; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. West Glocester (Cuff) Property
 - a. Disclose Ex Session Motion of March 22, 2013

At the Executive Session of the Town Council meeting of March 21, 2013 the following motion was made:

Motion was made by Councilor Sette to Authorize the Solicitor to take all action necessary to effectuate the purchase of the Cuff property (known as Parcel 1 on that certain plat entitled "Administrative Subdivision Plan A, Plat 4 Lot 215, 111 Reynolds Road Glocester RI dated April 11, 2013") not to exceed a purchase price of \$5,000.00; seconded by Councilor Reichert.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

- b. Ratify Actions taken to effectuate Acquisition - Discussion and/or action

Councilor W. Steere stated that the sale of this piece of property, abutting West Glocester Elementary was completed on September 4, 2014.

MOTION was made by Councilor Burlingame to RATIFY the purchase of 11.31 acres (known as Parcel 1 on that certain plat entitled "Administrative Subdivision Plan A, Plat 4 Lot 215, 111 Reynolds Road Glocester RI dated April 11, 2013"); said purchase date was September 4, 2013, and a Quit Claim Deed is recorded in Glocester Land Evidence Records, Book 651, Page 70; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

- c. Funding Source Approval - Discussion and/or action

Councilor W. Steere explained that the funds to purchase this property were taken from the Town Council contingency fund. Due to timing of the sale the closing occurred just before this meeting. Council needs a motion ratifying the use of funds from their contingency account if that is the source they choose.

MOTION was made by Councilor Reichert to RATIFY the appropriation of \$5,000 from the Town Council Contingency fund for the purchase of 11.31 acres (known as Parcel 1 on that certain plat entitled "Administrative Subdivision Plan A, Plat 4 Lot 215, 111 Reynolds Road Glocester RI dated April 11, 2013"); said purchase date was September 4, 2013, and a Quit Claim Deed is recorded in Glocester Land Evidence Records, Book 651, Page 70; seconded by Councilor G. Steere

Discussion: Councilor Reichert explained that this purchase of land was necessary due to a survey error when the land was subdivided for the West Gloucester Elementary School. Councilor Reichert stated that the owners originally wanted the Town to reimburse the taxes they paid over the years, and noted that \$5,000 is a reasonable settlement.

Dave Steere asked if the money will come out of the line item for Council Contingency. The reply was affirmative. D. Steere pointed out that the Council has taken money from this account at previous meetings and asked if there is \$5,000 left. Councilor Burlingame stated that we have enough in the account. Jaclynn DiPietro stated that the Council still has funds in other accounts, such as advertising; however the Council will only have approximately \$3,000 to get to June 30th. After further discussion, Tim Kane suggested that the Council rescind the prior vote.

MOTION was made by Councilor Reichert to RESCIND the prior appropriation; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

J. DiPietro stated that per the Charter, a department can go over on individual line items, however the overall bottom line cannot be exceeded. J. DiPietro stated that she excluded salaries and FICA because that will be spent by the end of the Fiscal Year. Councilor Sette offered to waive his salary to put money in the line item. T. Kane stated that Council members cannot vote on salary matters, including waiving a salary. J. DiPietro stated that because this is a non-budgeted line item, the Finance Office must be given direction regarding how this is to be paid.

MOTION was made by Councilor Burlingame to direct the Finance Department to fund the expenditure as an unbudgeted line item; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

O. Recreation Department

1. Proposal of new Recreation Program - Discussion and/or action

Councilor W. Steere stated that the Recreation Director is proposing a new program for the Town:

Dear Council Members:

Please accept this letter as a proposal to institute a new youth gymnastics program in Gloucester. This would be an after school program, taking place one day a week in each of the

four schools (West Gloucester, Fogarty Memorial, Ponaganset Middle School and Ponaganset High School). Students would pay a fee to cover the cost of the instructor(s).

For this fall, we would like to try a four week program. I anticipate the registration fee to be approximately \$15 per child for the four weeks. The instructor (s) would be a certified gymnastics teacher appointed by the town, and paid an hourly rate of \$25. I have contacted the Trust, and have obtained a Certificate of Insurance that would cover the program at the Regional School Districts as it does the Basketball Program.

Thank you for taking the time to consider this new program.

Sincerely,
Anthony Parrillo
Recreation Director

(end of memo)

Discussion: Anthony Parrillo, Recreation Director, was present to answer questions. Councilor W. Steere asked if the registration fees will cover the cost of the instructor. A. Parrillo replied in the affirmative, stating that there are quite a few kids interested at the elementary school level. Councilor W. Steere asked if there is money in the Recreation Budget if necessary.

A. Parrillo responded yes. A. Parrillo asked if the Council would appoint the instructor tonight. Councilor W. Steere stated that it would be done at the next meeting. Councilor Sette asked A. Parrillo if the instructor is licensed. A. Parrillo replied that she has a current license and has submitted a resume and references.

MOTION was made by Councilor G. Steere to direct the Recreation Director to move forward with an after-school gymnastics program; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VIII. Department Head Report/Discussion Bds. & Commissions - Discussion

- A. Gary Treml, Director of Public Works, gave a report regarding road paving. G. Treml stated that he has ordered two (2) recycling bins for single stream recycling. Councilor Reichert commended the Public Works Department for work on Old Snake Hill Road. Councilor Sette asked if it is too late to do some road sweeping. G. Treml replied that he can either fix roads or sweep, whichever the Council prefers. Councilor W. Steere asked if there is a timetable for Winsor Park Road. G. Treml stated that the road will be paved in the Spring. Councilor W. Steere commented that we are past the high usage period for Winsor Park.

- B. Linda Nichols, Community Resource Commission chair, stated that Matt Salisbury plans to step back and be an Alternate. L. Nichols stated Alternate Joel Niedel-Gresh is going back to school in New Hampshire and asked what his status will be on the Commission. Councilor W. Steere stated that if a member misses three (3) meetings in a row, they can be removed. L. Nichols mentioned the new members of the Commission, stating that they are working out well.

Regarding the garden on Route 94, L. Nichols stated that she has contacted other communities for ideas regarding community gardens. L. Nichols suggested that raised beds be built, perhaps by students who need to earn credits for high school. L. Nichols stated that she will submit more information for the Council to review.

Council Correspondence/Discussion

- A. Councilor W. Steere stated that a letter was received from the Emergency Management Agency regarding outreach programs that address flood insurance.
 - B. Councilor W. Steere stated that a notice was received from the Governor stating that Glocester will receive a grant in the amount of \$6,250 from the CDBG Program.
 - C. Councilor W. Steere stated that the Council has received a letter from the RI Department of Health concerning the proposed Medical Marijuana Delivery Program.
 - D. Councilor W. Steere stated that Mike Barnes, Foster-Glocester Superintendent, has been named 2014 Superintendent of the Year. There was Council consensus to send Dr. Barnes a Resolution of Congratulations.
 - E. Councilor W. Steere stated that correspondence was received from the RI Division of Municipal Finance regarding Motor Vehicle Exemptions.
 - F. Councilor W. Steere stated that a letter was received from the Division of Planning with regard to the proposed sale of the former State Police Barracks.
 - G. Councilor W. Steere stated that an invitation to Pawtucket's 15th Annual Arts Festival was received from Donald Grebien, Mayor of Pawtucket.
 - H. Councilor W. Steere stated that a request for the use of the Senior Center was submitted by the Sand Dam Reservoir Association. The Town Clerk stated she would sponsor that meeting.
 - I. Councilor W. Steere stated that a letter was received from DEM regarding the re-issuance of the Rhode Island Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems. Councilor W. Steere noted that Ray Goff, Town Planner, is presently working on this.
- IX. Open Forum
- A. Rose LaVoie told Judy Colaluca that she could distribute some of her Save the Lakes brochures at Heritage Day.

R. LaVoie asked if the interviews for Finance Director would be conducted at an open meeting. T. Kane, Assistant Town Solicitor, stated that the candidates can choose to be interviewed in open meeting if they wish. R. LaVoie stated that she will call that day to find out.

R. LaVoie stated that the Heritage Society and Gloucester Business Association are meeting this month and she will bring up the subject of sidewalk maintenance. R. LaVoie asked that River Cleanup be placed on the agenda for the next Town Council meeting.

R. LaVoie asked where is the lot that the Town is considering buying with the Recreation Grant. Councilor Burlingame replied that it is behind the Free Will Baptist Church. R. LaVoie expressed concern that the lot is wet. T. Kane stated that the wetlands have been flagged.

- B. Marie Sweet stated that she was not suggesting that Gary Trembl sweep the streets and was only using that as an example.
M. Sweet stated that Heritage Day will be held on September 22nd and a tree planting will take place on September 28th after a tour of the Ruben Mason House.
- C. Bill Dupuis apologized for derogatory comments he made previously.
- D. Walter Steere, Jr. suggested that representatives from the Department of Transportation be invited to the next meeting to answer questions regarding the work being done in Town. W. Steere, Jr. stated, he has been told, that the owners of the Texaco property have not been contacted by the State regarding their plan to purchase the property. W. Steere, Jr. expressed concern that the roundabout will not be put in until next year.
- E. Councilor Sette noted that although the streetlights in the Village are on a State road, the Fire District is responsible for paying for the electricity. Councilor Sette stated that he was told that the Fire District will still assume the cost, but only if it does not exceed the amount that they paid in the past.

Councilor Sette stated that the new lights may be more efficient, resulting in a savings to the Fire District; however, Councilor Sette stated that we need to have a discussion with the Fire District to determine who will pay the difference if the cost is more. Councilor Sette stated that it is important to work this out before the new lights are in operation. There was Council consensus to place this on the agenda for the next Town Council meeting, as well as inviting representatives from the DOT.
- F. Councilor W. Steere stated that he received a phone call regarding the flags on the telephone poles. Councilor W. Steere noted that some of them are in poor condition and must be taken down and retired. Councilor G. Steere offered to help remove the flags.
- G. Councilor W. Steere stated that he received a complaint about loud gunfire and suggested that the complainant attend a Council meeting.

X. Seek to Convene to Executive Session Pursuant to:
42-46-5(a) (2) Collective Bargaining (Clerks, Police & Dispatcher contracts) - Discussion
and/or action

MOTION was made by Councilor Sette to Convene to Executive Session pursuant to: 42-46-5(a)
(2) Collective Bargaining (Clerks, Police and Dispatcher contracts); seconded by Councilor G.
Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

XI. Reconvene Open Session & Disclosure of Votes Taken in Executive Session

MOTION was made by Councilor G. Steere to Reconvene Open Session, to seal the minutes of
Executive Session and Disclose that no votes were taken in Executive Session; seconded by
Councilor G. Steere.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

XII. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 10:43 p.m.; seconded by Councilor
G. Steere.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the September 19, 2013 Town Council Meeting.

At the Special Town Council Meeting holden in and
for the Town of Gloucester on **September 11, 2013**

I. Call to Order

The meeting was called to order at 6:30 p.m.

II. Roll Call:

Members Present: Walter M. O. Steere, III, President;, Vice-President; George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Members Absent: William E. Reichert (arrived after item IV was voted)

Also present: Susan Harris, Deputy Town Clerk

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Seek to Convene to Executive Session Pursuant to:

42-46-5(a) (1) Personnel - Job Interviews

MOTION was made by Councilor Sette to ADJOURN to Closed Executive Session pursuant to RIGL 42-46-5(a)(1) Personnel - Job Interviews; seconded by Councilor Burlingame.

Discussion: none

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

V. Reconvene Open Session & Disclosure of Votes Taken in Executive Session

MOTION was made by Councilor Burlingame to SEAL the minutes of Closed Executive Session and disclose that no votes were taken in Closed Executive Session; seconded by Councilor Sette.

Discussion: none

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VI. Adjourn

MOTION to ADJOURN at 9:08 p.m. was made by Councilor Burlingame; seconded by Councilor G. Steere.

Discussion: none

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the September 19, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **September 19, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President; George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Jean Fecteau, Town Clerk; Tim Kane, Assistant Town Solicitor; Susan Harris, Deputy Town Clerk; Joseph DelPrete, Chief of Police; Jane Steere, Interim Finance Director; Viviane Valentine, Tax Assessor; Gary Trembl, Director of Public Works; Raymond Goff, Town Planner; and Walter Steere, Jr., School Committee member.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum - Agenda Items

None

V. Questions & Answers

A. Dept. of Transportation

Re: Village improvement project Councilor W. Steere stated that representatives from D.O.T. are present to answer any questions we may have about the current project (Main Street) and to give an update. Councilor W. Steere stated that Gee Mariam, Gary Tella, Jim Spicolla and Ron Struntz are in attendance.

Discussion: Gee Mariam reported that the project is moving along very well with the exception of the roundabout, which is taking a little longer due to coordination with Verizon and National Grid. G. Mariam further stated that upon completion of the design, the cost is slightly higher than originally expected; therefore the job must go out for competitive bidding.

G. Mariam assured the Council that the roundabout construction will begin in the Spring of 2014. G. Mariam stated that a concept is also being designed for the 3½ mile section of Route 44 from Waterman Lake to the State Garage.

Regarding the roundabout, Councilor Burlingame asked if the State plans to purchase the whole piece of property at the corner where the gas station was located. G. Mariam replied in the affirmative, adding that the remaining land will be given to the Town to be used for parking. G. Mariam noted that the soil must first be tested for hazardous materials.

Councilor Reichert asked if that area will be finished now and then torn up in the Spring for the roundabout. G. Mariam replied that the site of the roundabout will not be touched other than temporary asphalt sidewalks for continuity purposes.

Councilor G. Steere asked if a parking lane is still included in the plan for the westbound side of Route 44. G. Mariam replied that all on-street parking has been left as it is. Councilor G. Steere asked if there will be a parking lane from the cemetery to the bridge. G. Mariam stated that this will be striped beforehand and the traffic will be observed to determine if it will work. If there are any problems, the parking lane will be eliminated. Councilor G. Steere asked why the road has been narrowed curb to curb.

G. Mariam replied that the travel lanes are the standard 11 foot width; however the shoulders are narrower on the west side. Councilor G. Steere stated that it is too late to do anything about it now, but questioned why would 5 feet of usable roadway would be taken for the installation of the curbs. G. Mariam again stated that the curb-to-curb dimensions are the same before and after. Councilor G. Steere disagreed, stating that there are strips on both sides of the sidewalk which measure 2½ feet each.

G. Mariam stated that he will review the designs and will measure the roadway to determine if the road is narrower. Councilor G. Steere noted that a resident of Putnam Pike has held a barn sale each year where people park on both sides of the road, and this is the first year that traffic could not get through as a result.

Ron Struntz stated that the curb-to-curb width matched at the liquor store and was carried through to the ball field prior to the addition of the parking lane. R. Struntz noted that the travel lane was narrowed from 12 feet to 11 feet in that location to accommodate the parking lane.

Councilor Burlingame concurred that the barn sale caused a massive traffic jam because the road could not accommodate parking on both sides. Councilor Burlingame expressed concern that the parking lane on the east side of the road is not viable because the travel lanes are narrower.

Councilor G. Steere asked why the streetlights are so close to the curb. Councilor G. Steere noted that most snow plows curl over at an angle at least a foot beyond the cutting edge and may damage the light posts. G. Mariam replied that this is a standard design because the lights cannot be placed close to buildings. G. Mariam feels that the plows will not cause damage to the poles if the drivers are careful and “shy away” from them.

Kenneth Rourke, resident of White Oak Estates, voiced concern that the light posts will be damaged as well as cars that are parked in the parking lane. K. Rourke stated that we should be proactive and move the posts away from the curb. G. Mariam replied that these are ornamental lights which would be hidden if moved, taking away from the aesthetics.

Councilor Reichert stated that Route 44 is a main thoroughfare which does not have a bypass like Wickford Village. Councilor Reichert noted that during the day, extra wide loads are driven through the Village, such as trucks, prefab homes and large boats.

Councilor W. Steere asked about the drainage work near Dino's and whether it will be repaved as part of this project. Gary Tella replied that the area will not receive a full overlay but will receive a permanent patch.

George Charette, chair of the Planning Board and former chair of the Economic Development Commission, spoke about the parking issue, stating that the original design had parking spaces on the right side of the street from CVS to Aegean Pizza. G. Charette noted that the individual parking spaces were indicated with 90 degree lines to prevent people from parking all over.

G. Charette agreed that the road has been narrowed, causing problems during the recent barn sale. Regarding the lights, G. Charette stated that he has walked Scituate Village five times and everything has been done right. G. Charette asked who will pay to replace the lights when they snap due to snow plowing. G. Charette questioned certain drops in the sidewalk which may cause falls. G. Charette stated that it is time to stand up for our rights.

Walter Steere, Jr. asked if night work will resume after the sidewalks and drainage are done. The response was yes. W. Steere, Jr. suggested that perennial grass be planted. W. Steere, Jr. stated that the catch basins are blocking water from draining causing large puddles. W. Steere, Jr. expressed his opinion that the sidewalks at the ball field and former State Police Barracks are a waste of money.

W. Steere, Jr. asked if there will be a traffic light installed at Route 102, Route 44 and Chestnut Hill Road. The response was that there will be a blinking traffic signal at the intersection. W. Steere, Jr. asked if the new lights will take the place of the regular streetlights that are already there. G. Mariam replied that both types of lights are needed; the existing cobra lights are higher to light the street and the others are to light the sidewalk. W. Steere, Jr. asked for an explanation regarding the wall at Dino's which was taken down. Gary Tella replied that the wall was built inadvertently on a skew and as a result had to be taken down.

There was discussion concerning the sidewalk in front of Central Nurseries. Gary Tella stated that a subcontractor poured the concrete but did not power wash the sidewalk. Consequently, the sidewalk will have to be replaced. Councilor G. Steere stated that, in the same area, there may be a problem with the location of the drain as there is a six-inch deep puddle that forms there when it rains. Councilor G. Steere stated that this should be corrected before winter to prevent any problems with ice.

Walter Steere, Jr. asked when the project is expected to be completed. Gary Tella replied that they will be close to the projected completion date of October 31st.

Roland Rivet, president of the Heritage Society, stated that Heritage Day is scheduled for Sunday and he has already had to relocate several vendors due to areas that have not been backfilled. R. Rivet expressed his concerns. Gee Mariam stated that Gary Tella can be contacted at his office at Pinewood Plaza if there are any issues on Sunday.

Bill Dupuis, of 817 Durfee Hill Road, commented that the new lights are very close to the road. B. Dupuis asked if there is 220 voltage going through the lights. B. Dupuis expressed concern

that if a light gets knocked down by a snow plow, there will be the danger of electrocution. Gee Mariam replied that most of the wiring is underground.

Charlie Wilson, 1177 Putnam Pike, asked when striping and repaving will be done. The response was some time next week.

Casey Wilson, of Saw Mill Road, spoke regarding the roundabout, stating that most people do not know how to use one. C. Wilson asked how many signs will be placed at the site of the roundabout. G. Mariam replied that educational brochures will be distributed to the public while the construction is going on. Regarding signs, G. Mariam stated that there will be adequate signage, but it will not be cluttered with signs. G. Mariam noted that too many signs would hinder a driver's decision-making process.

Rose LaVoie expressed hope that the drainage is fixed in the Village so that the Heritage Society does not get flooded out. Regarding parking, R. Lavoie stated that Kevin Kitson is concerned that parking will not be allowed on his side of the street. R. LaVoie asked if there will be parking on both sides of Main Street through the Village. Councilor Burlingame stated that this is what we were told. Councilor W. Steere concurred, stating that the original plan called for parking in the Village to remain the same. Councilor Burlingame commented that the parking lane is clearly narrower than it was previously, creating an unsafe situation.

Councilor W. Steere asked if there were any further questions or comments. Hearing none, Councilor W. Steere suggested that Ray Goff, Town Planner, coordinate with the representatives from DOT to address the concerns voiced tonight. Councilor W. Steere thanked the gentlemen for their attendance at the meeting.

VI. Resolutions

A. Resolution of Support: Save the Lakes

Councilor Sette read the following Resolution into the record:

Resolution #2013-11 In Support of SAVE the LAKES

WHEREAS: The Save the Lakes Group was founded in Glocester RI in 2008 by residents living on the Sand Dam Reservoir in an effort to create a statewide organization dedicated to the protection and preservation of Rhode Island's lakes, ponds, and fresh water resources; and

WHEREAS: This group has gone to great lengths to keep ponds and other recreational areas accessible to those who love to fish and boat on these bodies of water by educating Rhode Islanders of the dangers of invasive plants and unwanted species of wild flora that spreads into these areas; and

WHEREAS: Save The Lakes endeavors to provide a forum for the exchange, development, and research of fresh water resources information & education through newsletters and their website, <http://stlri.org>; and

WHEREAS: Save The Lakes is a growing organization with the primary purpose of addressing the needs of all fresh water bodies in Rhode Island. Fresh water is a natural resource which cannot be neglected because it cannot be replaced once it is gone. Fresh water is critical for all life today and for the future of our children and grandchildren. It must not be taken for granted; and

WHEREAS: Save the Lakes mission is to ensure that their message is heard by all Cities and Towns in the State of Rhode Island, as well as those that enjoy our bodies of water for recreation and it's wildlife, that we must prevent the spread of damaging weeds and plant life into those areas.

NOW, THEREFORE, BE IT RESOLVED that the Town of Gloucester, its Town Clerk and Town Council, hereby support the message and mission of Save the Lakes and encourage other communities that value the importance of fresh water bodies and the recreational opportunities that our ponds and lakes provide for all Rhode Islanders, to issue similar resolutions to their state and local legislators to encourage their support for legislation that may come forward from

Save the Lakes

Walter M.O. Steere, III, President
Gloucester Town Council

Jean M. Fecteau, CMC, Town Clerk

Dated this 19th Day of September, 2013
Seconded by Councilor G. Steere

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VII. Consent Items

A. Approval of Town Council Minutes of September 5 & 11th 2013

B. Finance Director Report - June 2013

C. Tax Assessor's Additions & Abatements: August 2013

MOTION was made by Councilor Reichert to APPROVE the Town Council minutes of September 5th, & 11th, 2013; to TABLE the Finance Director's Report for June 2013; to APPROVE the ADDITION to the 2013 Tax Roll in the amount of \$4,384.16; the 2009 Tax Roll in the amount of \$265.63; the 2008 Tax Roll in the amount of \$397.23; and the ABATEMENT

to the 2013 Tax Roll in the amount of \$689.18; and the 2012 Tax Roll in the amount of \$113.79; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VIII. Unfinished Business

A. Appointment:

1. 2014 Tree Warden - Discussion and/or action

Councilor W. Steere stated that the Town Clerk has sent out correspondence to each Gloucester resident on the list of R.I. licensed Arborist. One person responded.

Discussion: None.

MOTION was made by Councilor Sette to APPOINT Sandra Shepard to the position of Gloucester Tree Warden 2014; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Authorization: RI Renewable Energy fund Pre-Development Application From R.I.E.D.C. re: Smith & Sayles Reservoir- Discussion and/or action

Discussion: Linda Nichols, chair of the Community Resource Commission, stated that as we move ahead in the next phase of hydro power, we should not forget all the people who have worked so hard to get to this point. L. Nichols stated that this would allow us to be more self-sufficient and independent from other countries with regard to energy. L. Nichols noted that this is an opportunity for the Town, adding that we do not have much time to submit an application.

L. Nichols stated that Mike DeFrancesco, Engineer, is present to answer questions. M. DeFrancesco stated that he is the consulting Civil Engineer who worked with the Resource Commission on the feasibility study for hydro-electric power on Dam 23 at the Smith & Sayles Reservoir. M. DeFrancesco noted that the study was funded with a grant from the RI Economic Development Corp. M. DeFrancesco stated that the study addressed four (4) aspects of feasibility; technical, legal, economic and environmental.

M. DeFrancesco stated that all were "green lights" with the exception of economic feasibility. M. DeFrancesco stated that the feasibility study was the first step in the process and the application before the Council is the second step. M. DeFrancesco stated that the RI Renewable

Energy Fund has money available and has advertised for applications for pre-development, which includes everything in a project up to construction. M. DeFrancesco stated that the application deadline is October 31st, but the sooner an application is submitted, the better it looks. M. DeFrancesco stated that the application needs the endorsement of the Town Council. Councilor Burlingame asked what is the estimated total cost of the project. M. DeFrancesco replied \$383,559, which includes construction and equipment. Councilor Burlingame asked what part of that amount would the Town have to pay. M. DeFrancesco replied that there would be a \$216,000 expense remaining, but noted that there may be other grants and funding available. Councilor Burlingame asked what the revenue return would be.

M. DeFrancesco stated that based on today's energy costs, the revenue stream would be between \$8,000 and \$10,000 per year. Councilor Burlingame commented that it could be a 26-year payback. Councilor Burlingame asked if the next step would be a cost benefit analysis. L. Nichols stated that it will not cost the Town a dime to apply for this grant. Councilor Burlingame stated that this study will determine what we need to complete the project. L. Nichols agreed, stating that she will come up with whatever funding is necessary.

Councilor Sette stated that if this is a competitive grant, the application will be scored based on a number of criteria. Councilor Sette asked if one of the criteria is knowledge of where the funding will come from. L. Nichols stated that if the grant is awarded, she will begin to look for more funding. Councilor Reichert asked if this is a matching grant. L. Nichols replied in the negative. Dave Steere, Budget Board chair, asked if the Town owns the property where the project will be constructed.

D. Steere stated that we should get a sign-off from the people who own the property indicating that they are willing to go along with the project. Councilor Reichert stated that the property owners are considering it. D. Steere stated that there should be a commitment from the Association before we go forward. L. Nichols stated that the Sand Dam Association has attended every meeting of the Community Resource Commission and are all in agreement with this project.

L. Nichols noted that the property does not have to be Town-owned to be eligible for the grant. There was discussion regarding low-interest loans from USDA. L. Nichols stated that she does not want any loans because the Town cannot afford it. L. Nichols reiterated that this grant application will not cost us anything and we can see what happens after that.

MOTION was made by Councilor Reichert to AUTHORIZE the Town Council President to sign the Economic Development Corporation and Town of Gloucester, Resource Commission RI Renewable Energy Fund application for the Smith-Sayles Reservoir Hydroelectric Pre-Development Study, said grant request in the amount of \$167,309; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. Acquisition of Land -

1. Recreation Property - A.P. 10A Lot 8

- a. Funding Source Approval - Discussion and/or action
- b. Resolution approving acquisition of Plat 10A Lot 8 for recreational purposes- Discussion and/or action

Tim Kane, Assistant Town Solicitor, stated that he has reviewed the Charter and has spoken to the Finance Department, and his opinion is that if the Council wishes to take these funds from either Capital Reserve or Surplus, a Special Financial Town Meeting will have to be held. T. Kane stated that the other option would be to vote to do it as an unbudgeted line item, which means it would come out of the operating fund.

T. Kane stated that the purchase price is \$150,000, and after a month or so, we would send the title policy, appraisal and recreation easement to DEM, who would then reimburse \$75,000 to the Town. T. Kane noted that to do it this way, the Department Heads would have to collectively come in at least \$75,000 under budget.

Councilors G. Steere and Burlingame stated that they would prefer to put it before the taxpayers at a Special Meeting. Councilor Sette agreed, stating that he feels that the people will support the purchase because it is for recreation. Councilor W. Steere asked if the Council wishes to transfer the funds from Capital Reserve or Surplus. Councilor Burlingame asked if we have enough funds in Capital. Dave Steere, Budget Board chair, replied that as of 6/30/12, the account had \$638,000. Councilor Burlingame stated that he does not recall how much of that was appropriated.

Councilor Burlingame stated that we could take it from Surplus as we have more than enough above the 12%. Councilor Burlingame suggested that we schedule the meeting and then decide where to take the money from. Jean Fecteau, Town Clerk, stated that the earliest the meeting could be scheduled would be the first or second week of November because taxpayers must be allowed 30 days to register to vote. J. Fecteau further stated that she would have to know where the funds would come from 20 days prior to the meeting because it must be stated on the warrant.

Councilor W. Steere asked if this will cause any issues with the sellers of the property. T. Kane replied that he does not anticipate that this will be a problem.

MOTION was made by Councilor Burlingame to schedule a Special Town Financial Meeting for Saturday, November 16, 2013 for the purpose of acquiring property for recreation uses, contingent upon availability of the High School Auditorium; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Regarding the Resolution approving the acquisition, Tim Kane stated that this must be tabled until after the Financial Meeting. There was Council consensus to address the Resolution at the Special Financial Meeting if the voters approve the purchase.

MOTION was made by Councilor Sette to TABLE until November 16, 2013 the Resolution approving the acquisition of Plat 10A Lot 8 for recreational purposes; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

D. Kent Drive –FM Global Property - Town Maintenance - Discussion and or action

Discussion: Tim Kane, Assistant Town Solicitor, stated his opinion that Factory Mutual owns the majority of the land, subject to life estates which were granted to the owners, Mr. & Mrs. Kent. T. Kane stated that he feels that the Town has no legal obligation for maintaining the road. Councilor Reichert stated that Mr. Kent has passed away and Mrs. Kent no longer lives in the house. T. Kane stated that the ownership of the road is unclear but he sees no evidence that the Town has any responsibility. Councilor Reichert noted that the road is like a mile-long driveway.

Councilor Burlingame asked why this is before the Council. Gary Treml, Director of Public Works, replied that he feels that Factory Mutual owns the road and should take care of it. T. Kane stated that Factory Mutual at least owns the properties that the road services and they have more rights to the road than anybody else.

Councilor Sette suggested that the Council send a letter to FM Global informing them that the Town will no longer take responsibility for the maintenance of the road. T. Kane agreed, stating that if FM Global can prove otherwise, the Town could reconsider this position. T. Kane stated that he will write to their lawyer.

MOTION was made by Councilor Sette to send a letter to FM Global regarding maintenance of the road; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

IX. New Business

A. Bid Award

1. IFB 2014-03 Roll off Cab/Chassis/Body - Discussion and/or action

Councilor W. Steere read the following recommendation from the Board of Contracts and Purchases:

September 18, 2013

To: Town Council

From: Board of Contracts & Purchase

Re: **Award of IFB 2014-03 Roll off Cab/Chassis/Body**

- I. IFB 2014-03 was advertised in accordance with current rules and procedures.
- II. Three proposals were received and opened by the Board at a posted meeting on September 18, 2013:
 1. Peterbilt of R.I. bid \$159,500.00 with an allowance of \$10,000.00 for the International trade.
 2. Altrui Bros. bid \$151,421.00 with an allowance of \$5,000.00 for the International trade.
 3. Ballard Mack bid \$ 163,630.00 with an allowance of \$5,000.00 for the International trade.
- III. The Board received a recommendation from the Public Works Director stating the low bidder, Altrui Brothers was non-compliant with the specs. (Corres. Attached)
- IV. Therefore, the Board recommends the next lowest bidder:

Peterbilt of R.I. At the bid price of \$159,500.00 with an allowance of \$10,000.00 for the International trade.

Respectfully submitted,

Jean Fecteau - Town Clerk

Jane Steere - Acting Finance Director

(end of memo)

Councilor G. Steere stated that this went out to bid three (3) times, therefore the bid process was followed. After reviewing the bids, Councilor G. Steere stated that he agrees with the recommendation.

MOTION was made by Councilor Reichert to AWARD IFB 2014-03 Roll off Cab/Chassis/Body to Peterbilt of Rhode Island's for the bid price of \$159,500.00 with trade-in of \$10,000.00; seconded by Councilor G. Steere.

Discussion: None.

September 19, 2013

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VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

- B. Appointments - Discussion and/or action
 - 1. Recreation Department - Gymnastics Instructor

Councilor W. Steere stated that the Recreation Director has requested the following appointment:

Danielle Szocik - gymnastics instructor \$25.00 per hour. This appointment is to implement an after school gymnastics program approved by the Council on September 5, 2013.

Discussion: There was Council consensus to appoint the instructor for a four-week program and if it is successful, the Recreation Director can request a continuation.

MOTION was made by Councilor Sette to APPOINT Danielle Szocik to the position of gymnastics instructor for a four week program, once a week at each school: West Gloucester, Fogarty Memorial, Ponaganset Middle School and Ponaganset High School at the hourly wage of \$25.00; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

- 2. Public Works Department - Temporary part- time Police Station custodian

Councilor W. Steere read the following request from the Public Works Director:

September 9, 2013
To: Town Council
From: Gary Treml,
Public Works Director
Re: Appointment Temporary Part-Time Police Station Custodian

Russell Sawyer, part time custodian for the Police Station, will be out on medical leave for approximately 6-10 weeks starting September 20, 2013. Chester Fague, who retired as custodian of the Police Station, has offered to fill in on a temporary basis. Mr. Fague, who retired in February 2012, was a much valued employee and did an outstanding job at keeping the Police Station clean.

I am requesting that Chester Fague be appointed, on a temporary basis, to the position of Part Time Custodian at the Police Station. Chet will be working a maximum of 16 hours per week at a rate of \$18.00 per hour starting September 23, 2013 until Russell Sawyer

returns from his medical leave.

Gary
(end of memo)

Discussion: None.

MOTION was made by Councilor G. Steere to APPOINT Chester Fague to the position of Temporary Part-time Custodian for the Gloucester Police Station, for a maximum of 16 hours per week at an hourly wage of \$18, effective September 23, 2013; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. Boards & Commissions

1. Parade Committee - Future projects/fundraisers

Discussion: Mike DeGrange, Parade Committee chair, stated that the Committee wishes to expand on what was successful this year. M. DeGrange noted that the Committee has continued to meet monthly to discuss ideas to raise funds. M. DeGrange stated that the carnival raised a substantial amount of money, therefore the Committee recommends a three-day event for next year.

M. DeGrange stated that he hopes to raise enough funds to bring the fireworks back. M. DeGrange stated that the location of the carnival will be changed and recommended Gloucester Memorial Park. M. DeGrange stated that the fireworks will be held at the Burrillville-Glocester Soccer Fields. M. DeGrange stated that the Committee is also considering having a spaghetti dinner at the Victory Sportsman Club.

Councilor Burlingame asked if there are any special requirements to hold the carnival at Gloucester Memorial Park. Councilor W. Steere pointed out that parking may be an issue because Adelaide Road is not a Town road. Councilor W. Steere asked if the park will allow enough space to set up the carnival. M. DeGrange replied that he feels that space will not be an issue. Councilor W. Steere stated that public safety must be considered. Councilor Sette agreed, stating that the fireworks and carnival should not take place at the same time, as this would stretch police and fire resources.

Councilor Reichert pointed out that the BGYSA fields may be a better option for the carnival because there is a lot more parking. M. DeGrange stated that he would prefer to have the carnival within walking distance of the Village. Councilor G. Steere expressed his opinion that it may be better to keep the carnival small and at the same location as this year's event.

M. DeGrange stated that he plans to "get the ball rolling" long before the 4th of July. M.

DeGrange stated he would speak to those involved (including the Police & Fire Chief, B.G.Y.S.A., & the Public Work Director) and come back to Council.

2. Appointment

a. Juvenile Hearing Board

One 3 year term to expire 9/20/2013

This appointment is for the expired term of Kerri Lynn Desnoyers. She has been contacted and expressed an interest in being reappointed.

MOTION was made by Councilor Sette to RE-APPOINT Kerri Lynn Desnoyers to the Juvenile Hearing Board for a 3 year term to expire 9/20/2016; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

D. White Oak Estates

1. Maintenance Obligation - Discussion and/or action

Tim Kane, Assistant Town Solicitor, explained that when this subdivision was developed, the Town accepted the road and drainage infrastructure. T. Kane stated that the Town is responsible for the general maintenance of the road.

Kenneth Rourke, resident of White Oak Estates at 57 Appleton Lane, stated that the residents all maintain their own properties, however there is a buffer area which he feels should be maintained by the Town. K. Rourke noted that most of the issues in his letter have been addressed and thanked the Council for that. K. Rourke stated that an area of the road is eroding away at the junction of Appleton Lane and Snake Hill Road.

K. Rourke asked if this could be taken care of because it will only get worse. K. Rourke also expressed concern regarding his neighbor's property at 67 Appleton Lane. K. Rourke further stated that the developer still has a sign at the end of the road which should be removed as all of the lots have been sold. K. Rourke thanked the Council members for their time.

E. Meeting & Town Departments: Processes and Policies

1. Budget Reports - Discussion and/or action
2. Attendance at Council Meetings - Discussion and/or action
3. Other processes & policies - Discussion and/or action

Discussion: Councilor Sette stated that as a result of the last meeting, he feels that there should be discussion regarding Department Head reports. Councilor Sette stated that some Departments submit reports regularly but others do not. Councilor Sette stated that sometimes an item will be on a Town Council agenda, but the Department Head is not present to answer the Council's questions.

Councilor Sette stated that a policy should be established whereby if somebody has something on the agenda, they must be in attendance at the meeting. Councilor Sette stated that the Finance Director Report for June was tabled tonight and expressed his opinion that Budget Reports should be filed monthly to keep the Council apprised of financial issues. Councilor Sette recommended that Department Head meetings be held with the Council members taking turns to serve as chair.

Councilor Burlingame stated that in the past, Department Head Reports were all due prior to the second Town Council meeting each month. Councilor Burlingame further stated that the Department Heads were expected to attend the meeting to answer questions. Councilor Burlingame noted that some of the Department Heads attend every meeting. Councilor Burlingame agreed that if somebody puts something on the agenda and they are not present at the meeting, the item should be tabled.

Councilor Sette suggested that the Council President send a letter to all Department Heads informing them that monthly reports are due before the second Town Council meeting. Councilor Burlingame agreed.

Councilor W. Steere stated that he agrees with the other councilmen, however he feels that the letter should also solicit the thoughts and ideas of the Department Heads regarding communication, because we are all working together. Councilor Reichert stated that he is in favor of a Department Head meeting.

MOTION was made by Councilor Sette to AUTHORIZE the Council President to schedule monthly Department Head meetings, beginning Monday, September 30th at 8:30 a.m; and to send correspondence requiring a monthly report be submitted for the second Town Council meeting of every month; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

F. Lighting Costs - Village Main Street - Discussion and/or action

Discussion: Councilor W. Steere stated that the Town Planner has estimated the cost as follows:

34 lights proposed to be installed.

200 Watts per light.

Lights run approximately 4000 hours per year.

$200 \times 4000 = 800,000$ hours.

Town energy rate ranges between \$0.13 to \$0.15

Based on higher rate of \$0.15 = \$120 per light per year.

Total of 34 lights - \$4,080 per year.

Councilor W. Steere stated that the Chepachet Fire District presently pays for the lighting in the Village and asked if we are going to ask them to absorb the cost of electricity for the new lights. Councilor Sette pointed out that it was stated tonight that the old lights are going to stay, which was unexpected. Councilor Sette stated that everybody thought that the new lights would replace the old ones, adding that this would be an additional cost of \$4,000 to the Fire District.

Councilor W. Steere asked if we could request that the old lights be turned off. Councilor Sette stated that National Grid would do that for a charge, but he believes that the request must come from the Fire District. Councilor W. Steere asked if there would be any liability issues if the lights are capped. Councilor Sette replied in the negative, stating that there would be illumination from the sidewalk lights.

Councilor Sette suggested meeting with members of the Chepachet Fire District to discuss the matter. After discussion, there was Council consensus that Councilors Sette and W. Steere will meet with Earl Newman of the Fire District. Jean Fecteau, Town Clerk, stated that she will make the arrangements.

X. Department Head Report/Discussion Bds. & Commissions - Discussion
Council Correspondence/ Discussion

A. Joseph DelPrete, Chief of Police, stated that his Department has received a grant in the amount of \$10,700. Chief DelPrete stated that next week he will be interviewing twelve (12) candidates for a Police Officer position. Councilor W. Steere asked if this is for a new position. Chief DelPrete replied in the negative, stating that the position is to replace an officer who will be leaving the Department.

B. Councilor Sette asked Viviane Valentine, Tax Assessor, if any resumes for the Tax Assessor position have been submitted. V. Valentine replied that she does not know.

C. George Charette, Planning Board chair, spoke about the ongoing project at the Sunoco Station in the Village. G. Charette stated that an expansion is in progress but nobody knows what is going to happen regarding the building. G. Charette noted that the building is not pre-1900; therefore the Historic District Commission does not have much power regarding their rules and regulations.

G. Charette stated that CVS and Dunkin Donuts went through many steps to get approval for their buildings, which are appropriate for the characteristics of the Town. G. Charette asked if there is anything that can be done to make the owner of the Sunoco Station comply with the same guidelines. G. Charette stated that he was approached by the owner several years ago regarding putting an addition on the gas station.

G. Charette stated that he advised the owner that the proposal would have to go through the process with the Historic District Commission, Planning Board and Zoning Board. G. Charette asked how can it be that we have no control? G. Charette stated that there must be some criteria for putting on an addition to a building in the center of the Village.

Charlie Wilson, Historic District Commission chair, stated that he informed the owner that if there were changes from the original plan, he would have to submit the new plan to the HDC. Councilor Sette stated that the Building Official needs to enforce.

Ray Goff, Town Planner, stated that this is a local business whose project has been going on since 2010 at a slow pace. R. Goff noted that the business owner does not have the Town's approval, nor does he have a Certificate of Occupancy. Councilor W. Steere asked about enforcement. R. Goff stated that we could shut him down.

Councilor W. Steere stated that the rules are not being followed and asked T. Kane what is our course of action. T. Kane replied that the first step is that a Notice of Violation must be issued by the Building Official. The second step would be to go to Superior Court. Councilor Burlingame asked if the owner has been told that he cannot use the new part of the building. R. Goff replied in the affirmative but stated that he has not complied.

Councilor Sette recommended that a Notice of Violation be issued to get the business owner to come in and respond to the violation. R. Goff stated that he feels that progress is being made. Councilor Burlingame stated that we should wait and see where it goes. Councilor Sette voiced concern that this may cause other business owners to disregard the rules and do what they want. Councilor Burlingame suggested that we allow the Town Planner to proceed and provide a report at the next Town Council meeting. Councilor W. Steere agreed and stated that the Council may have to make a decision at that point.

XI. Open Forum

- A. Rose LaVoie spoke about the gas station, stating that we should not let it go too long before action is taken on the violations.

Rose LaVoie thanked the representatives from DOT for their attendance.

XII. Seek to Convene to Executive Session Pursuant to:

- A. R.I.G.L. 42-46-5(a) (2) Collective Bargaining (Clerks, Police & Dispatcher contracts) - Discussion and/or action
- B. R.I.G.L. 42-46-5(a) (1) Personnel - Qualifications

MOTION was made by Councilor G. Steere to Convene to Executive Session pursuant to R.I.G.L. 42-46-5(a) (2) Collective Bargaining (Clerks, Police & Dispatcher contracts) & R.I.G.L. 42-46-5(a) (1) Personnel - Qualifications; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

XIII. Reconvene Open Session & Disclosure of Votes Taken in Executive Session

Disclose votes taken & Seal minutes

XIV. Collective Bargaining

- A. Authorization: Agreement between R.I. Laborers Dist. Council, Local Union 1322 (on behalf of the Town of Gloucester Clerks), & the Town of Gloucester, for the period of 7/1/2013 to 6/30/16 - Discussion and/or action

MOTION was made by Councilor Sette to RATIFY the Agreement between R.I. Laborers Dist. Council, Local Union 1322 (on behalf of the Town of Gloucester Clerks), & the Town of Gloucester, for the period of 7/1/2013 to 6/30/16; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

B. Personnel- Finance Director Position

1. Appointment and/or Continuation of Search - Discussion and/or action

MOTION was made by Councilor Burlingame to hold a second interview with a candidate for Finance Director at 6:00 p.m., October 3, 2013; seconded by Councilor G. Steere.

Discussion: none

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

XV. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 11:21 p.m.; seconded by Councilor Reichert.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the October 3, 2013 Town Council Meeting.

September 19, 2013

17 of 17

At a meeting of the Town Council holden in and
for the Town of Gloucester on **October 3, 2013**

I. Call to Order

The meeting was called to order at 6:00 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President; George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Jean Fecteau, Town Clerk; Tim Kane, Assistant Town Solicitor; Joseph DelPrete, Chief of Police; Jane Steere, Interim Finance Director; Viviane Valentine, Tax Assessor; Gary Treml, Director of Public Works; Raymond Goff, Town Planner; Jason Rhodes, Emergency Management Director; and Walter Steere, Jr. and Anne Ejnes, School Committee members.

III. Seek to Convene to Executive Session Pursuant to:

MOTION was made by Councilor Sette to ADJOURN to Closed Executive Session Pursuant to: R.I.G.L. 42-46-5(a) (2) Collective Bargaining Police & Dispatcher contracts & R.I.G.L. 42-46-5(a) (1) Personnel - Job Interviews; seconded by Councilor G. Steere.

Discussion: None

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

IV. Reconvene Open Session, Disclose Votes Taken in Executive Session

MOTION was made by Councilor Sette to RECONVENE Open Session; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

MOTION was made by Councilor Sette to SEAL the minutes of Closed Executive Session; no votes were taken; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

V. Pledge of Allegiance
The Pledge of Allegiance was recited.

VI. Open Forum - Agenda Items
None

VII. Consent Items
A. Approval of Town Council Minutes of September 19th, 2013 - Discussion and/or action

MOTION was made by Councilor Burlingame to APPROVE the Town Council minutes of September 19, 2013; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

VIII. New Business
A. Presentation: Solar Power Generating Facility - Designated Energy Provider-
Discussion and/or action

Councilor Reichert introduced James Barrett of FRIEnergy, LLC, who will explain net metering, benefits to the town, and answer questions from the Council members. J. Barrett stated that his company already has five (5) projects in Town and is looking at several more. J. Barrett explained net-metering as a program that allows a municipality to generate electricity at one location and use it at any other designated meters within the municipality.

Mr. Barrett stated municipalities could also aggregate several communities to come up with a beneficial arrangement to build renewable energy resources. Mr. Barrett explained “virtual net metering” which is energy that can be generated anywhere and used any where. Mr. Barrett stated that while National Grid goes up every year (C.P.I.) this program is based on a 20 year program and the costs remain stays the same per kilowatt hour.

Mr. Barrett presented charts that show that by todays power rates to the town, 13 or 15 cents per kilowatt hour (depending on which town building), with a 2.5 percent National Grid escalator your rate could go up to 20 and 25 cents per kilowatt hour in the next 20 years. The second chart shows what the cost would be, \$770,000 to 1.2 million, over the next 20 years but with the net metering program the cost will stay the same over those 20 years.

J. Barrett further stated that this project could increase the tax base by building new economic development.

J. Barrett stated it potentially could amount to an annual earnings and savings of \$162,000 which could grow to \$3.2 million over the life of the project, twenty years.

Councilor Sette stated that we already have an energy aggregation contract through the RI League of Cities & Towns for a 36 month period. Councilor Sette stated he believes the rate lock is around \$.11 per kilowatt based on a commitment of the number of kilowatts hours over the next three years. Councilor Sette stated that he is not sure if we could get out of the contract with the other vendor. Councilor Sette stated those contracts are basically guaranteed due to the fact they are provided through natural gas and due to the stability of natural gas there is confidence that rate will stay the same over the course of the contract.

J. Barrett stated that he is aware of the agreement with the RI League of Cities and Towns; however the contract is for energy only and does not pertain to transmission distribution costs, which have increased, 3%, over the past two consecutive years. Councilor Sette believes we are locked in. Mr. Barrett stated not for distribution costs. The two gentleman disagreed.

J. Barrett stated that they are not here to cost the Town money, their agenda is to have a positive impact on the community, and the environment, as well as create new tax revenue.

Councilor Burlingame questioned J. Barrett regarding the basis of the projected \$100,000 savings in his report. J. Barrett replied that he calculated the rate by multiplying 5,408,000 kilowatt hours by \$0.13 and compared it to FRIEnergy's rate. Councilor Burlingame stated that the 5,408,000 kilowatt hours is hypothetical and asked why J. Barrett did not determine what we are actually using and base his calculation on that. J. Barrett replied that he would be glad to do that. Councilor Burlingame also stated the tax pilot revenue is also based on assumption.

Councilor G. Steere questioned the accuracy of the figures on the spreadsheet, stating that there is not much difference between the percentages for FRIEnergy rates which is starting at \$.12 and ends up at \$.19 (which is a \$.07 increase over 20 years) and National Grid shows an increase of \$.08 over 20 years. Councilor G. Steere stated the graft shows you end up at \$.15 after 20 years. J. Barrett apologized and replied that the graph did not line up correctly.

Councilor Reichert asked if the program must be for 20 years. J. Barrett replied that they ask for 20 years because they will get a 15 year contract with National Grid. J. Barrett further stated that after legislation passes next year, the contract length will be raised to 20 years.

James Barrett explained the PILOT program, which would, in lieu of paying a high tax payment this year, have a balanced rate from year 1 to year 20. J. Barrett noted that this would benefit both his company and the Town. Mr. Barrett stated he would like to start conversations with the town regarding pilot agreements.

Viviane Valentine, Tax Assessor, cautioned that a PILOT program could affect the amount of State aid the Town receives and suggested that the Town Solicitor review the program before we move forward.

Councilor Sette pointed out that we have had bad experiences with ESCO contracts in the past and asked if the savings are guaranteed. J. Barrett replied in the affirmative, adding that once the project is installed, all of the costs will be exerted up front.

Councilor G. Steere expressed his agreement that it would make more sense to look at the proposal with actual numbers, stating that the savings projection for the ESCO project was not realistic. Councilor Burlingame suggested that the Town Planner and Mr. Barrett confer to determine some actual figures and present their findings to the Council at a future date. Councilor Reichert stated that we should keep in mind that gas prices will not stay the same.

MOTION was made by Councilor Burlingame to direct the Town Planner to develop actual savings percentages; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

B. R.I. Interlocal Trust Agreement
Employee Benefits Pool Membership Participation Agreement
Effective July 1, 2013 - Discussion and/or action

Councilor W. Steere stated that the Council has received an agreement between the R.I. Interlocal Trust and the Town regarding the Employee Benefit pool. Councilor W. Steere stated the Acting Finance Director has reviewed and request this agreement be signed. Tim Kane, Assistant Town Solicitor, stated that he has reviewed the agreement and feels that it is a slight improvement over the last contract.

MOTION was made by Councilor Sette to AUTHORIZE the Town Council President to sign the agreement entitled "Employee Benefits Membership Participation Agreement for The Trust Health Pool and/or The Trust Dental Pool for the Town of Gloucester as of July 1, 2013"; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

C. Gloucester Code of Ordinance - Proposed Amendment
Addition of Solar Facility Ordinance - Discussion and/or action

Council has received a request from the Town Planner:

To: Town Council
From: Ray Goff, Town Planner
Re: Discussion of the Proposed Solar Facility Ordinance
Date: September 24, 2013

Enclosed please find the proposed Solar Facility Ordinance. It has been reviewed by the Planning Board and a recommendation from the August 5, 2013 meeting is enclosed. Please place the Solar Facilities Ordinance on the next Town Council Agenda for a first reading.

If you have any questions, please let me know.

(End of memo)

Discussion: Ray Goff, Town Planner, stated that based upon the number of applications received over the last several months for solar facilities, he and the Planning Board have decided to draft an ordinance so that these applications will not be required to go before the Zoning Board for a variance. R. Goff noted, in his opinion, that these solar facilities have very little impact to the neighborhood.

R. Goff stated that after reviewing other communities' ordinances, he has drafted a simple one-page document which allows solar facilities throughout the Town, adding that impact issues would be handled through the Development Plan Review process. R. Goff noted that the Ordinance would not affect somebody who puts solar panels on their house. R. Goff asked that the Council schedule a First Reading of the proposed Ordinance.

Councilor Reichert asked if this is practical for underground lines. R. Goff replied that if the lines can be put underground, it takes care of some of the aesthetic issues.

Councilor G. Steere asked who will determine what type of screening is required from abutting properties. R. Goff stated that the staff makes that determination if it is an allowed use. R. Goff noted that he is proposing that these facilities be an allowed use in all zones.

MOTION was made by Councilor Sette to SET a 1st reading for the Proposed amendment to the Gloucester Code of Ordinance, the addition of "Solar Facility Ordinance" for November 7, 2013; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

D. D.O.T. Response to Public Forum Questions (9/19/2013) - Disc. and/or action

Councilor W. Steere stated that Ray Goff has received a response from questions asked of D.O.T. representatives at the last Council meeting. R. Goff has forwarded the correspondence to the Council members.

Project: Route 44 Contract 3C CE&C PROJECT NO. 97061.09
Date: September 19,2013 Time: 7:30PM
Held at: Gloucester Town Hall
Subject: Construction Update

PRESENT:	AFFILIATION:
Members	Gloucester Town Council
Ray Goff	Gloucester Town Planner
Getachew Mariam	Rhode Island Department of Transportation
GaryTella	Rhode Island Department of Transportation
Jim Spicola	Rhode Island Department of Transportation
Ronald Strunz	Commonwealth Engineers & Consultants, Inc.

DISCUSSION:

The RIDOT was invited to update the Town Council and the citizens of Gloucester and answer questions regarding the construction on Putnam Pike.

Mr. Mariam indicated that the current Contract 3C was to include the construction of the roundabout but several items have delayed the design. Utility pole relocations, hazmat issues, RID EM permitting requirements and the acquisition of the former gas station property have contributed to the delay. The cost estimate for the additional roundabout construction has become more than was originally thought.

The Department has decided to complete the Contract 3C work and prepare a separate contract for the roundabout. It is anticipated that the construction will begin next spring.

The following questions were received from the Council:

Q: Will the Department acquire the entire gas station property?

A: This has not been determined yet. The property to be acquired is to include what is needed to construct the roundabout. Additional permanent easements are needed for the drainage culvert and utility guy anchors. A temporary easement over the remaining property will allow RIDOT to remove the building and grade the area. The RIDOT will negotiate with the owner and determine if the entire property should be acquired due to its limited value to the property owner.

Q: Will any of the new work being constructed now need to be removed for the roundabout?

A: No, the work limits are being coordinated so that this does not happen.

- Q: Is the new parking lane along the Town Hall side of Putnam Pike still part of this contract?
- A: Yes. In response to concerns with the parking plan, the RIDOT will have the Contractor remove the existing pavement markings and apply temporary marking to delineate the revised road centerline and parking lane. This work will be done in advance of repaving the road so that traffic may be observed through this section of the highway.
- Q: Why was the road width reduced in the area where this parking lane was to be added?
- A: At the time the parking lane request was made, the plans had advanced to the 90% stage of design. The decision was made to retain the 32' curb-to-curb width of Putnam Pike as designed and mark the highway to accommodate an 8-foot parking lane, (2) 11' travel lanes and a 2' shoulder on the west side. The 32' width was selected, and approved, early in the design of this project to maintain a uniform width of highway from the Chepachet River Bridge to the ball fields.
- Q: Why were the decorative light poles placed along the curb rather than behind the sidewalks? They will be exposed to traffic and will be hit in this position.
- A: The light poles were positioned along the curb line to be within the sidewalk utility corridor and between the existing utility poles. This provides a uniform design and an unobstructed walking path along the sidewalk. The existing highway property limit in many cases is at the back of sidewalk line so the poles would have to be moved into the sidewalk area in those areas. Poles would also need to be moved away from buildings with their lamps shielded from nearby windows. A 36" clear path must be maintained to meet ADA requirements. This is difficult within the 5' wide sidewalk areas. The following questions or comments were received from the public:
- Q: Light poles should have been placed at the back of the sidewalks. Snow plows and other vehicles will hit them where they are now.
- A: The position of the utility poles should keep the snow plows away from the light poles as well. The cost to repair damage caused by an accident will be borne by the operator.
- Q: Paving by Dino's - will it be repaved?
- A: No. The road surface will be patched upon the completion of the drainage, curb and sidewalk installations.
- Q: The width of Putnam Pike is too narrow for the parking plan. At the recent bam sale, cars were parking on both sides of the road and trucks had to take turns to pass through.
- A: The parking lane has not yet been implemented and parking on both sides of Putnam Pike in this area is not allowed.
- Q: The decorative lights in Scituate were placed at the back of sidewalk and were a better design. Parking spaces will be lost. The sidewalks have drop-offs to the adjacent grade.
- A: The approved parking plan will be incorporated. Any drop-offs are temporary and will be corrected.

Q: Will the entire road be resurfaced?

A: Yes

Q: What seed mix is to be used so that the grass does not die over the winter?

A: A quality perennial seed mix will be used to match grass areas.

Q: The gutter catch basins have been obstructed during the construction. Will the new drainage system work?

A: The catch basins were fitted with screens to help reduce the capture of fine sand into the system during the construction. These will be removed once the excavations have been completed to allow the drainage system to work as designed.

Q: Will there be a traffic light at CVS?

A: The existing blinking traffic light will be replaced with a new blinking traffic light.

Q: Will the existing utility pole lights be removed.

A: No. The decorative lighting is designed to illuminate the sidewalks only.

Q: How energy efficient are the decorative lights and how much will the cost to the Town be?

A: Lighting design specifics will be reviewed and a response will be prepared for the Town Planner.

Q: Is the lighting system 220 volts? There is concern that stray voltage could be a hazard.

A: Lighting design specifics will be reviewed and a response will be prepared for the Town Planner.

Q: Heritage Day is this Sunday and vendors needed to be moved away from unfinished construction.

Concern was expressed over uneven surfaces, etc. that remain.

A: Temporary fill will be added where possible and additional traffic control devices will be stationed around work areas to shield the public.

Q: The new roundabout should not be cluttered with signage. This also applies to the present construction.

A: The proposed new signs are being reviewed to see if they can be reduced.

Q: Questioned the wall at Dino's.

A: The original alignment of the wall did not match the alignment of the curb line and would have made the sidewalk width uneven. When this was discovered, the contractor was instructed to correct this and continue the wall construction.

Q: Sidewalk problem on Victory Highway?

A: Yes, the subcontractor had problems attaining the desired results of the exposed aggregate finish. The unacceptable limits of sidewalk will be replaced.

Q: Some of the new lights were set behind the sidewalk. Why was this done?

A: In these two locations, the existing drainage pipe was in conflict with the light pole foundations.

Q: What is the date of completion?

A: It is anticipated that substantial completion of the contract will be completed on time before the end of the construction season.

PREPARED BY: Ronald Strunz

NOTICE TO PARTICIPANTS: The above is our understanding of the matters discussed. You are requested to review these items and advise of any errors or omissions.

COPY TO: Ray Goff; Getachew Mariam; Gary Tella; Thomas Cunningham; File No. 1
(end of memo)

Discussion: Regarding Council Question #1, Councilor Burlingame stated that he recalls that the State originally said that they would acquire the entire gas station property and give the remainder to the Town. Councilor Burlingame commented that it appears that the State is backing off from that now and recommended that we push them toward acquiring the whole parcel. Councilor G. Steere noted that there will be nothing left of the parcel after the roundabout is constructed. R. Goff pointed out that the correspondence was not written by DOT, but by their consultant.

Regarding Council Question #3, R. Goff explained that the cold planing and re-striping will begin on October 14th, followed by repaving on the 21st, giving us a week to try it out to see if it is acceptable.

Regarding Public Question #9 concerning the existing utility pole lights, R. Goff stated that there was discussion about capping the lights when the new lighting is implemented.

Regarding Public Question #10 which addressed the energy efficiency of the decorative lights, R. Goff noted that he has received a response which he will explain later.

R. Goff noted that Question #11 asked if the lighting system is 220 volts. R. Goff responded that the system is 120 volts and is equipped with a mechanism which disconnects the electricity if the lights are run over.

Regarding Public Question #15 concerning a problem with the sidewalk on Victory Highway, R. Goff stated that DOT is presently sandblasting the sidewalk to correct the problem.

Regarding the date of completion, R. Goff stated that the project is scheduled to be completed by the end of October.

R. Goff stated that there will be 34 lights installed, 200 watts per light. The lights will run approximately 4000 hours per year, which will result in approximately 800,000 watt hours or

800 Kwh. R. Goff stated that with rates between \$0.13 and \$0.15, this amounts to approximately \$120 per light per year, for a total of \$4,080 per year.

Councilor G. Steere mentioned that there is a drop-off at Dr. Lanphear's. R. Goff stated that he will notify DOT.

Charlie Wilson expressed his opinion that there are too many signs which are huge, ugly and have been put in the wrong places in some instances. C. Wilson stated that if we do not stop it, it will look horrible.

Bill Dupuis, 817 Durfee Hill Road, asked if the Fire Department will continue to pay for the electricity in the Village. Councilor W. Steere replied that a meeting has been scheduled for October 16th to discuss the matter with the Fire District. Councilor Sette stated that the Town may be responsible for a portion of the cost.

Rose LaVoie, of Wilmarth Road, reiterated Charlie Wilson's comments regarding signs. R. LaVoie stated that we should have a say concerning the number of signs that are placed.

Marie Sweet, Vice-President of the Heritage Society, stated that people have worked hard to make the Historic District look village-like and the excessive signage detracts from it. Councilor Sette stated that there is a sign ordinance in the Historic District Ordinance and asked if this would apply. R. Goff stated that DOT's reasoning for the many signs is to ensure safety. R. Goff noted that he did ask DOT to reduce the number of signs and some were eliminated.

George Charette of 312 Chopmist Hill Road commented that there is a sign for Chopmist Hill Road which is placed incorrectly.

Charlie Wilson stated that he attended a meeting where DOT agreed to eliminate certain signs, but they put them up anyway. C. Wilson expressed his opinion that we have a right to limit signs in the Historic District. C. Wilson stated that other towns have stopped it and we must also.

Rose LaVoie stated that everyone here should call the Governor's Office and the head of the DOT to voice our complaints. Councilor Sette suggested that the Council send correspondence to Director Lewis of the DOT to relay the comments made tonight.

MOTION was made by Councilor Sette to send correspondence to the Director of the Department of Transportation regarding signs in the Historic District; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

There was Council consensus to call the Department of Transportation tomorrow to notify them that a letter is on its way.

E. Personnel

1. Finance Director's Position

- a. Appointment or Additional Actions (as necessary) - Discussion and/or action

MOTION was made by Councilor Burlingame to TABLE any further action until references are reviewed; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Tax Assessor's Position

- a. Appointment or Additional Actions (as necessary) - Discussion and/or action

Discussion: Councilor W. Steere stated that ten (10) applications have been submitted and the Council must determine their next step. Councilor Sette recommended that the Tax Assessor, Town Clerk and a Council member screen the applications and make a recommendation to the Council. Councilor Burlingame offered his time.

MOTION was made by Councilor Sette to TABLE the appointment of Tax Assessor; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

F. Board of Licensing (Town Council)

- a. Procedure for Special Events License (Businesses) - Discussion and/or action

Discussion: Jean Fecteau, Town Clerk, stated that each time a license holder requests a Special Event, a Public Hearing must be held. J. Fecteau stated the Town Council has given a block of authorizations for those that asked, after public hearing, in 2013 and had also discussed holding a hearing at the same time as renewals. J. Fecteau stated if that is still the Council's intention she is trying to put together a plan and she took all of the stipulations made by the Council and broke them down so they could be applied to all businesses.

J. Fecteau noted that renewal applications for November are being sent out now and she would like to offer a Special Event application to all establishments. Tim Kane, Assistant Town

Solicitor, stated that he doesn't see a problem with this as long as the advertisement states that the license renewals may involve Special Events.

MOTION was made by Councilor Sette to AUTHORIZE the Town Clerk to advertise Special Event licenses at the same time as license renewals for liquor and victualing licenses in November; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

G. Town Council Meetings

- a. Process for setting agenda - Discussion and/or action

Councilor W. Steere read the following recommendation submitted by the Town Clerk:

DATE: October 2, 2013
TO: Town Council
FROM: Jean Fecteau, Clerk
RE: Town Council Meetings: Preparation

There has recently been discussion about the short amount of time between the agenda being set and the meetings. I usually do not set the meeting until within an hour or so of the legal deadline to do so. While it gives us time to add items, it doesn't give anyone time to see what is on the agenda or what has been omitted.

I have come up with an idea, please read and we can discuss on Thursday. We can't go to far out from meeting because that will cause other problems.

1. Agenda prepared and sent to all Council members and Department Heads: 1 week prior to meeting.
2. Notify Clerk's Office of any additions, deletions or corrections before 4:30 on Friday preceding the meeting. Additions MUST be approved by a Council member before notifying Clerk.
3. Agenda Set, Monday preceding Town Council meeting, 12:00 p.m.
4. Prior to legal deadline for posting, 48 hours prior to meeting start time, agenda can only be amended by Council.
5. Deadlines for Special Meetings will be disseminated before the deadline.

(End of memo)

Discussion: Councilor W. Steere stated that this was brought up at the staff meeting this week. W. Steere stated that when he receives the agenda on Tuesday, it does not allow enough time to research agenda items prior to the meeting. Councilor Sette agreed and stated that the process could be tweaked if necessary.

MOTION was made by Councilor Burlingame to ADOPT the procedure for setting the agenda for Town Council meetings as proposed by the Town Clerk; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Councilor W. Steere thanked the Department Heads for their feedback at the staff meeting.

IX. Department Head Report/Discussion Bds. & Commissions - Discussion

- A. Jean Fecteau, Town Clerk, thanked the Council for reinstating the Department Head meeting, stating that she felt it was very successful.

J. Fecteau informed the Council that a Zone Change application for a proposed change to the PUD will be before the Council the first week of November.

J. Fecteau stated that the Financial Town Meeting is scheduled for November 16th at 1:00 p.m. J. Fecteau noted that she has started the process by advertising, arranging for voting machines to be delivered, and securing the location of the meeting.

J. Fecteau stated that Gloucester's Korean War Veterans were recognized on a national level. J. Fecteau suggested that the Council adopt a Resolution to honor the veterans. J. Fecteau noted that there are four (4) Resolutions coming up; Dr. Barnes, Superintendent of the Year, a new group of Eagle Scouts, Volunteer Recognition Award, and Mike Calenda, Teacher of the Year.

J. Fecteau reported that she has begun planning the Veterans' Day Celebration which will take place on November 11th at 11:00 a.m. at the Senior Center.

J. Fecteau stated that a Flu Clinic will be held at the Senior Center on October 5th from 9:00 a.m. to 12:00 p.m and a second clinic will take place on November 16th.

- B. Gary Treml, Public Works Director, gave an update on road work performed by his Department.

G. Treml spoke regarding single stream recycling, stating that people are not breaking down their boxes, causing the containers to be filled with less tonnage than they should have. Councilor Sette suggested placing an ad in the Bargain Buyer. G. Treml replied that he has already done so.

G. Treml stated that he will forward information to the Council regarding the new fuel system before the next meeting.

- C. Ray Goff, Town Planner, stated that he feels that Department Head meetings are a good idea and thanked the Council for reinstating them.

R. Goff stated that he has been working with Foster and Scituate to hire a custodian for the CDBG Program. R. Goff noted that one proposal was received, but it was very high. R. Goff commented that a custodian is necessary because with each day that we wait, we are losing money.

Regarding the issues at the Sunoco Station, R. Goff stated that he and the Building Official have met with the owner. R. Goff noted that the windows will be installed shortly and work will resume in the other part of the building. R. Goff stated that an Occupancy Permit is not required for the new part of the building because it is an existing structure. R. Goff stated that the exterior of the addition will be brick.

- D. Viviane Valentine, Tax Assessor, stated that legislation was passed, with Gloucester's help, which states that farm, forest and open space notices do not have to be sent by certified mail. V. Valentine noted that this will save the Town over \$2400 per year. Councilor Sette congratulated V. Valentine on her 25 year membership in the International Association of Assessing Officers.
- E. Sandra Shepard, Tree Warden, asked who is the liaison to her position. Councilor W. Steere replied that he serves as liaison to the Conservation Commission and therefore he would be the liaison to the Tree Warden.
- F. Anne Ejnes, School Committee member, thanked the Finance Office, Jacky DiPietro in particular, for their assistance while the Business Manager position is vacant. A. Ejnes noted that the Budget season is approaching, negotiations will take place with the teachers, and full-day kindergarten is being considered. A. Ejnes expressed hope that an appointment will be made soon.
- G. Walter Steere, Jr., School Committee member, agreed with A. Ejnes, adding that if the School Department will be asked to do more with regard to financial matters, he would like to have a joint session for discussion.

Council Correspondence/Discussion

- A. Councilor Sette noted that there is correspondence in the Council packets with regard to the presentation made tonight concerning solar energy.

X. Open Forum

- A. Rose LaVoie mentioned an article in the Providence Journal about the beauty of the changing leaves, adding that a photograph of the Chepachet Cemetery was included. The article also recommended Chepachet Village as a good place to visit. R. LaVoie stated that a tree-planting was held at the Ruben Mason House at which the Master Gardeners did a great job. R. LaVoie asked if there will be a river cleanup so that we can see the waterfall after the sidewalks are done. R. LaVoie stated that she plans to call the DOT, the Governor and Senators Reed and Whitehouse regarding the issue of signs in

the Village. R. LaVoie urged others to do the same. R. LaVoie asked what we will be voting on at the Financial Town Meeting on November 16th. Councilor W. Steere replied that we will be voting on purchasing property for recreational purposes.

- B. Marie Sweet, of Chestnut Hill Road, gave an update on Heritage Society activities; a book-signing is scheduled for Saturday, an art show will take place on October 11th and 12th, and the Peddlars' Faire and Candlelight Shopping events are coming up in November and December. M. Sweet stated that correspondence was read into the record at a previous meeting which pertained to gun noise and gun firing. M. Sweet inquired whether any action was taken. Councilor W. Steere stated that the letter is on file and the Council has not heard anything further.
- C. George Charette stated that he has a letter from the DOT dated April 28, 2010 which addressed parking in the Village. G. Charette stated that the plans were changed and the road was narrowed. G. Charette stated that he wonders how much the DOT saved by not paving the road at its previous width. G. Charette also objected to the excessive number of signs in the Village. G. Charette noted that he has been in the construction business for a long time and can see many things which were done wrong on this project.

XI. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 9:19 p.m.; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the November 7, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **October 17, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President; George O. (Buster) Steere; and Edward C. Burlingame.

Members Absent: Steven A. Sette.

Also present: Jean Fecteau, Town Clerk; Tim Kane, Assistant Town Solicitor; Joseph DelPrete, Chief of Police; Jane Steere, Interim Finance Director; Viviane Valentine, Tax Assessor; Gary Trembl, Director of Public Works; Raymond Goff, Town Planner; Anthony Parrillo, Recreation Director; Jason Rhodes, Emergency Management Director; and Walter Steere, Jr. and Anne Ejnes, School Committee members.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum - Agenda Items

Linda Nichols, Community Resource Commission chair, stated that she received a letter from the Planning Board regarding Capital expenditures and asked for an explanation. Jean Fecteau, Town Clerk, stated that if a Board or Commission has a Capital Improvement Plan, a form must be filled out and returned to the Planning Board for their review.

V. Proclamation - Discussion and/or action

A. # 2013-03 Dr. Michael Barnes - Recognition - 2014 Superintendent of the Year

Councilor G. Steere read the following Proclamation into the record:

**PROCLAMATION
2013-3**

Dr. Michael S. Barnes - 2014 Superintendent of the Year

WHEREAS, the Rhode Island School Superintendent's Association has awarded Dr. Michael Barnes the 2014 Superintendent of the Year Award for his leadership to the Foster/Glocester Regional District, his dedication to the education of our students, and his commitment to our community; and

WHEREAS, Mike Barnes has been a member of our school faculty since 1988, in the technology department, where he progressed to the Department Chair. Mike went on to serve as the Assistant Superintendent from 2005 to 2008

and has held the position of Foster/Glocester Superintendent of Schools from 2008 to present; and

WHEREAS, during his career Dr. Barnes also served the RI Dept. of Education as a Fellow working in the areas of school reform and SALT (School Accountability for Learning and Teaching), and has been recognized as a Milken National Educator; and

WHEREAS, Dr. Michael S. Barnes has been recognized by his colleagues and the educational boards he has served on across New England for his involvement in creating new standards in education and administration; and

NOW THEREFORE BE IT RESOLVED that the Town Council and Town Clerk of the Town of Glocester do hereby proclaim their pride and appreciation to:

**Dr. Michael S. Barnes, Superintendent
Foster/Glocester School District on his achievement as
the 2014 Rhode Island Superintendent of the Year**

Walter M.O. Steere, III, President
Glocester Town Council

Jean M. Fecteau, CMC, Town Clerk

Dated this 17th Day of October, 2013

seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame.

NAYS: 0

MOTION PASSED

VI. Consent Items

- A. Approval of Town Council Minutes of October 3rd, 2013 - Discussion and/or action
- B. (Interim) Finance Director's Reports - Discussion and/or action
- C. Tax Assessor's Additions & Abatements - Discussion and/or action

MOTION was made by Councilor Burlingame to TABLE the Town Council Minutes of October 3, 2013; to ACCEPT the Finance Director's Reports of June, July, August, & September 2013; and to APPROVE the Abatement to the 2009 Tax Roll in the amount of \$81.52; the 2010 Tax Roll in the amount of \$339.35; the 2011 Tax Roll in the amount of 196.64; the 2012 Tax Roll in the amount of \$221.76; and the 2013 Tax Roll in the amount of \$178.65; No Additions to the 2012 Tax Roll; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame.
NAYS: 0
MOTION PASSED

VII. Unfinished Business

A. Tax Assessor's Position

a. Appointment or Additional Actions (as necessary) - Discussion and/or action

Councilor W. Steere stated that the Council has received a recommendation from the interim Finance Director, Jane Steere, Jean Fecteau, and Viviane Valentine. Council was given all applications for review. Councilor Burlingame stated that the three (3) Department Heads interviewed and ranked the applicants.

Councilor Burlingame noted that the recommended candidate is presently an Assistant Tax Assessor and has previously worked in a Tax Collection office. Councilor Burlingame stated that this appointment would be seamless and recommended that the Council authorize the Finance Director to start the process by conducting a background check.

Councilor G. Steere agreed and noted that Councilor Burlingame was involved in the interview process. Councilor Burlingame added that many questions were asked of the applicants and the recommended candidate knew the answers.

Viviane Valentine, Tax Assessor, stated that when the three (3) candidates were interviewed, it was quite obvious that Ms. Mooney is qualified for the position. V. Valentine expressed confidence in her recommendation. Councilor Burlingame noted that another plus is that the candidate is cross-trained, having also worked in the Tax Collector's office.

J. Fecteau, Town Clerk, asked if a BCI check should be conducted in addition to references. Councilor Burlingame replied that the candidate's current employer has given a recommendation, therefore only a BCI check is necessary.

MOTION was made by Councilor Burlingame to authorize the Interim Finance Director to begin the process of hiring Jennifer Mooney at the current budgeted salary of \$51,076, subject to a background check; seconded by Councilor G. Steere.

Discussion: David Steere, Budget Board chair, pointed out that the current salary was for an employee who worked for over 20 years. D. Steere disagreed with hiring a new employee at that salary, adding that the salary is higher than other Department Heads. D. Steere stated that this does not make sense. Councilor Reichert noted that the new employee would not have longevity.

Councilor Burlingame agreed, stating his opinion that with the absence of longevity the Council should go with the budgeted rate. Councilor G. Steere stated that when the Chief of Police was hired, the salary was reduced by \$4,000. Councilor G. Steere stated that D. Steere has a good point, but noted that this individual has experience and will step right into the Assessor's position.

Councilor W. Steere stated that D. Steere makes a good point that the Council must consider the other Department Heads. Councilor G. Steere asked if there is a 6-month probationary period for new employees. Tim Kane, Assistant Town Solicitor, stated that Department Heads are all employees at will and he does not see the necessity of a probationary period. Councilor G. Steere again stated that the Budget Board chair makes a good point, but we do not want to lose the candidate.

Councilor W. Steere stated that V. Valentine's last day is October 31st, therefore we should solve the matter tonight. Jane Steere, Interim Finance Director, noted that the candidate will need to give her current employer two (2) weeks notice. Councilor Burlingame stated that the salary is not high for that job. Councilor Reichert asked how our salaries compare to those of neighboring towns.

V. Valentine replied that the last salary survey indicated that Gloucester is on the lower end. Councilor W. Steere stated his opinion that the starting salary should be less than the current salary. Councilor Reichert pointed out that the salary is for the position, not the person, adding that the person could change every two (2) years with the Council. (No amendments to Motion)

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame.

NAYS: 0

MOTION PASSED

VIII. New Business

A. Public Works:

1. Authorization:

Councilor W. Steere read the following request from the Public Works Director:

September 27, 2013

To: Honorable Town Council

From: Gary Trembl

Public Works Director

Re: Fuel Management System

The Public Works Department has been researching fuel management system options. Our research with other government entities led us to a system developed by Syn-Tech Systems, Inc. called FuelMaster Fuel Management System.

Syn-Tech Systems, Inc., a defense contractor under contract with the U.S. Air Force since 1980, developed FuelMaster for the Air Force, with the system now used Department of Defense wide.

It has a 20 year shelf life per unit, is climate controlled (extreme temperature tolerant) and can be diagnosed remotely. This system includes enhanced security features, including the ability to program keys to require the user to provide an accurate mileage for the vehicle

being fueled in order for the pump to engage. FuelMaster is also the only American made system on the market.

The Town is now a member of the National Joint Powers Alliance (NJPA), a Municipal Contracting government agency offering competitively awarded purchasing solutions. Syn-Tech Systems Inc. was awarded the NJPA National Contract (#05210-SYS) for Fleet Management Technologies. Trask Petroleum, a local company, is a certified installer and a licensed technician for FuelMaster and would be hired by Syn-Tech to install this new system.

The cost of the system including installation is \$18,314.10. Two units need to be purchased due to the location of the gas and diesel tanks. Matt Floor, (IT person) attended the demo held at DPW office in August and thought this was a viable option for town. The software is windows based and can be easily connected to the computer in the DPW office. In order to install this fuel management system the existing aged pumps would need to be replaced. The existing pumps are more than 15 years old and past their life cycle. They are not equipped to accept the system do to their age.

Trask a “sole source” vendor quoted \$11,979.60 to purchase and install two new fuel pumps and associated hardware which would accept the monitoring system installation. They would be on site to install the fuel monitoring system and can install the new pumps at the same time.

With the help of DPW employees, the town can realize a savings of \$2,200.00 on the installation. I am requesting approval to purchase the FuelMaster Fuel Management System off the NJPA Contract #051613SYS from Syn-Tech Systems, Inc., 100 Four Points Way, PO Box 5258, Tallahassee, FL 32314 for a total cost of \$18,314.10 to be paid from the \$25,000.00 set aside in the Capitol Budget for this purpose.

I also am requesting approval to purchase the two new pumps from Trask Petroleum Equipment Company, 800 Elmwood Avenue, Providence RI 02907 for a cost of \$11,979.60 by utilizing the balance of \$6,685.90 from the monitoring system and to use some of the \$10,000.00 in the Capital Budget set aside for a roof system for the gas and diesel storage. The roof system will not be necessary since the new system is watertight and extreme temperature tolerant.

Sincerely,
Gary Trembl

(end of memo)

- a. Approval to purchase (NJPA Contract #051613SYS) the FuelMaster Fuel Management System & pumps - Discussion and/or action

Discussion: Councilor Reichert stated that he has done business with Trask Petroleum and stated that Paul Trask is very knowledgeable with regard to fuel systems. Councilor G. Steere stated that this was discussed a year or two ago and he still feels that it is a good idea, although he did

not realize that the pumps would have to be replaced. Councilor G. Steere stated that the monitoring system would be a good method of security regarding fuel use.

MOTION was made by Councilor Reichert to APPROVE the purchase of a FuelMaster Fuel Management System & pumps through NJPA, pricing not to exceed \$35,000, with the funding source to be in accordance with the memo from the DPW Director dated September 27, 2013, which was read into the record; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame.

NAYS: 0

MOTION PASSED

- b. Funding Source: Authorization for the Re-appropriation of Capital Funds - Discussion and/or action

It was stated that this was addressed previously. No action.

B. Grant Funding - Discussion and/or action

Councilor W. Steere stated that Ray Goff has requested some discussion with Council about a fund to cover our contribution to grant opportunities.

Ray Goff, Town Planner, stated that this is an issue that comes up when there are matching grant opportunities, but the Town does not have the necessary funding. R. Goff asked the Council to consider creating a fund for this purpose, perhaps by adding a line item in the Budget. Councilor W. Steere asked if these funds would be in the Operating Budget or Capital Budget.

Tim Kane, Assistant Town Solicitor, replied that it would depend on the nature of the grant. R. Goff stated that most grants would be for Capital projects, with the exception of the hiring of consultants, which would fall under Operating. Councilor Burlingame noted that the hiring of a consultant would not be a lot of money. Councilor Burlingame suggested setting up a fund under Capital in the next Budget process.

Councilor Burlingame stated that this is a great idea because we would not be scrambling to find funding when grants are available. Councilor Burlingame further stated that he has some thoughts regarding how to fund this without raising the tax levy.

- C. Police Department: Authorization Non-Emergency Mutual Aid Agreements - Discussion and/or action

Councilor W. Steere stated that Chief DelPrete has requested the authority to sign and enter into a non-emergency mutual aid agreement with the Towns of Foster, Scituate, & Burrillville.

Joseph DelPrete, Chief of Police, stated that according to State Law, we have to enter into this agreement every three (3) years. Chief DelPrete stated that we signed an agreement with Smithfield last year, but we must now do so with Burrillville, Scituate and Foster. Tim Kane, Assistant Town Solicitor, stated that a Resolution is needed before the agreement can be signed. There was Council consensus to have a Resolution prepared for either the next meeting or the following meeting.

D. Recreation Department

1. Appointments: Gymnastic Instructors - Discussion and/or action

Councilor W. Steere read the following request from the Recreation Director:

I would like to recommend the appointment of three people to help teach and aide the gymnastics instructor. There are too many children enrolled for the instructor to safely run the classes by herself.

Christina Gloria - gymnastics instructor \$25 per hour
Stephanie Bowen - gymnastics instructor \$25 per hour
Anastasia Lomacin - gymnastics aide \$10 per hour

If you have any questions, please let me know.

Thank you,
Anthony Parrillo
(end of memo)

Discussion: Councilor W. Steere stated that the Recreation Director has indicated the dates for the appointments would be 9/30/13 to 11/5/13. The program is scheduled to end on 10/28/2013 but asked for the extended date should there be a make up class necessary.

Councilor Burlingame asked Anthony Parrillo if the tax forms have been filled out. A. Parrillo replied that he has informed the head instructor that paperwork must be submitted. Councilor Burlingame advised A. Parrillo to speak to her again as it is important to tie up these loose ends. Councilor Burlingame asked about the whereabouts of the registration fees.

A. Parrillo stated that the head instructor collected the fees and was supposed to turn them in at the Town Hall. Councilor Burlingame stated that she has not done so yet and urged A. Parrillo to contact her. Councilor G. Steere asked if there was a bigger turnout than expected. A. Parrillo replied in the affirmative and explained that this is the reason he needs to hire additional instructors.

MOTION was made by Councilor Burlingame to APPOINT Christina Gloria - gymnastics instructor \$25 per hour; Stephanie Bowen - gymnastics instructor \$25 per hour and Anastasia Lomacin - gymnastics aide \$10 per hour; effective 9/30/13 to 11/5/13 as needed; seconded by Councilor G. Steere.

Discussion: Rose LaVoie asked if this is a school program or a recreation program. Councilor W. Steere replied that the program is run by the Recreation Department. R. LaVoie expressed concern that gymnastics is a dangerous activity and the proper people should be present. A. Parrillo stated that the instructors are certified in gymnastics and our insurance carrier is aware of the program.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame.

NAYS: 0

MOTION PASSED

E. Boards & Commissions

1. Resignations - Discussion and/or action

- a. Board of Canvassers - One six year term to expire 03/2016

Councilor W. Steere stated that the Clerk's office has received the resignation of Deb Shadoian from the Board of Canvassers

MOTION was made by Councilor Reichert to ACCEPT the resignation of Deb Shadoian from the Board of Canvassers for a six year term to expire 3/2016; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame.

NAYS: 0

MOTION PASSED

Councilor W. Steere thanked D. Shadoian for her service over the years. Councilor Burlingame stated that the Town Democratic Committee chair will be notified that an appointment from the Democratic Party is needed on the Board of Canvassers.

2. Appointments - Discussion and/or action

- a. Charter Review Commission

Councilor W. Steere stated that the Council has received some names for review. Letters were sent out to applicants who showed an interest some time ago to see if they are still interested and another ad will be placed. A list will be compiled for the Council's review in November.

MOTION was made by Councilor Reichert to TABLE the appointment of Charter Review Commission members to November 7, 2013; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame.

NAYS: 0

MOTION PASSED

b. Board of Canvassers - One six year term to expire 03/2016

It was stated that there are no talent bank listings for this position. A letter will be sent to the Democratic Town Committee chair per Charter.

MOTION was made by Councilor Burlingame to TABLE the appointment to the Board of Canvassers for an unexpired six year term to expire 3/2016; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame.

NAYS: 0

MOTION PASSED

F. Request for Stop Sign: Country Meadow Lane - Discussion and/or action
Councilor W. Steere stated that the Council has received a request from a local businessman regarding a stop sign:

Glocester Town Council

I would like to ask for the placement of a stop sign at the end of Country Meadow Lane at the intersection with Pound Road.

Thank you

Kevin LaVoie

Country Meadows LLC

(end of memo)

Discussion: Councilor W. Steere asked if this matter should be referred to the Safety Commission. Councilor Burlingame commented that this is private property and asked if the owner needs permission to put up a stop sign. T. Kane, Assistant Town Solicitor, stated that because Country Meadow Lane intersects with a Town road, a recommendation from the Safety Commission is needed.

MOTION was made by Councilor Burlingame to refer the request for a stop sign at Country Meadow Lane and Pound Road to the Safety Commission for a recommendation; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame.

NAYS: 0

MOTION PASSED

G. Senior Center - Budgeting Process - Discussion and/or action

Councilor Burlingame explained that the question has come up regarding how to handle the Senior Center from a cost point of view.

Discussion: Councilor Burlingame stated that the building is now seven (7) years old and needs to have some things done. Councilor Burlingame asked if they should include specific Capital requests or if the building should continue to be considered a separate cost center. Councilor Burlingame stated his opinion is to keep it as a separate cost center and to have the Public Works Director identify the costs of what needs to be done.

Gary Treml, Public Works Director, stated that his department has tried to do the maintenance at the Senior Center to save money; however it appears that the building will need more extensive repairs. There was Council consensus to keep the Senior Center as a separate cost center and Councilor Burlingame suggested that he and the Public Works Director attend the next meeting of the Board of Directors.

H. Public Works - Single Stream Recycling - Discussion and/or action

Councilor W. Steere stated that Councilor Sette had requested this discussion, but he is ill and is not present at the meeting. Councilor W. Steere asked Gary Treml, Director of Public Works, if he had any comments regarding Single Stream Recycling.

G. Treml reported that although he has advertised and posted signs at the Transfer Station, people are not following the guidelines for recycling. G. Treml explained that trash and items such as air conditioners and vacuum cleaners are mixed in with the recyclables and when these things are transported to the landfill, they are rejected and must be brought back to the Transfer Station.

G. Treml stated that another problem is that boxes are not broken down before disposal and are filling up the containers too quickly, this results in more trips to the landfill each day. G. Treml provided information regarding other towns' transfer stations, there are 11 transfer stations state wide.

G. Treml went through all the uses Gloucester allows and gave the comparison of how other communities handle each item.(These are some of the examples given:

Hours: the Gloucester Transfer Station is open more hours (6 days a week at 8 hours per day) and the residents use the facility free of charge.

Large Items: Gloucester takes everyday, other communities charge.

Bins: Gloucester does not charge for bins, other communities charge.

Tires: Gloucester accepts, no charge and we had 30 tons last year. Other communities charge and some have time consuming processes to follow.

E-waste: Gloucester takes it all, other communities do not accept.

Gas tanks: Gloucester accepts, no charge, other communities charge.

Stickers: Gloucester gives stickers for transfer station, no charge, other communities charge.

Mattress & Box springs: You can bring any time. Other communities time is limited.

Yard waste: Does not have to be bagged in Gloucester, no charge, other communities charge by the bag

G. Trembl reviewed some of the extensive rules, costs, and operations in place in other times.

G. Trembl stated the Gloucester Transfer station is open 6 days a week, residents can bring anything at anytime and the only item that costs an additional fees is a mattress and box spring.

G. Trembl commented that people do not respect the rules and it starts to cost all of us extra money.

Councilor Burlingame asked if these problems were occurring before we began Single Stream Recycling and if it would be possible to go back to what we had before. G. Trembl replied that it would not be feasible because the system has been changed and it is more efficient for Resource Recovery.

Councilor Burlingame stated that perhaps we made a huge mistake by switching to Single Stream. Councilor W. Steere disagreed, stating that any time a change is made, it is a process for people to get used to it. W. Steere asked if it would help to pay somebody to monitor the recycling center for a month or so. Councilor Burlingame asked if our recycling percentage has gone up or down. G. Trembl replied that the percentage has not changed, but more trips are being made to the landfill due to the boxes. Councilor Burlingame stated that it is costing us more and is less efficient.

Councilor Burlingame stated that the problem will be worse in the winter when the cardboard gets wet and freezes. Councilor W. Steere stated that there needs to be an education process but people do not seem to read our ads in the Bargain Buyer or see the signs. Councilor W. Steere stated that we should have somebody at the Transfer Station for a period of time directing people to break down their boxes and eventually they will understand. Councilor W. Steere credited G. Trembl for doing everything he can up to this point. Councilor Reichert suggested that we advertise for volunteers and place a sign instructing people to break down their boxes.

Gary Trembl stated that it is a privilege for residents to use the Transfer Station and they should recycle properly. G. Trembl commented that he would still like to close the Transfer Station on Tuesdays, stating that there would still be more hours of operation than other facilities.

Anne Ejnes stated that high school juniors and seniors have a volunteer requirement to graduate and suggested that they be recruited. It was stated that the volunteers should be age 18 and over. Councilor W. Steere pointed out that there may be confrontation and we would not want to put students in that situation.

Rose LaVoie stated that in Booth Bay Harbor, they have people telling you where to go and how to dispose of recyclables. R. LaVoie suggested having an informational meeting at the Senior Center to educate the public.

MOTION was made by Councilor Reichert to place an advertisement in the Bargain Buyer for volunteers to help implement Single Stream Recycling at the Transfer Station; seconded by Councilor Burlingame.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame.

NAYS: 0

MOTION PASSED

I. Gloucester Home Repair Program - Adoption of Program Policies - Discussion and/or action

Councilor W. Steere stated that Ray Goff, Town Planner, is requesting the adoption of the Gloucester Home Repair Program - Program Policies.

Discussion: Ray Goff, Town Planner, stated that this policy mimics what the State tells us to do, but he feels it would be a good idea to adopt our own set of policies in the event that there are questions regarding how the program is run. Councilor Burlingame asked if the State has given its blessing. R. Goff replied that he did not forward the document to the State and noted that this policy has been followed all along; he just would like it in writing.

Councilor W. Steere asked Tim Kane, Assistant Town Solicitor, if he has reviewed the policy. T. Kane replied that he found one or two typographical errors, but stated that a lot of time went into drafting the policy. Councilor W. Steere asked if we should run it by the State, considering all that has happened in the past. R. Goff replied that the issues that the Western RI Home Repair Program had were about the operating budget and the State has already approved the new financial policy.

Councilor Burlingame stated that the big change in the program is that the Town Council is now responsible for the financial stability of the program which was not the case before. Councilor W. Steere stated that he is comfortable with the levels of accountability stated in the policy, adding that the Council will receive constant updates from the Town Planner and Finance Director.

MOTION was made by Councilor Burlingame to ADOPT the Gloucester Home Repair Program - Policies and Procedures, subject to the notes identified by the Council - to be dated October 17, 2013; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame.

NAYS: 0

MOTION PASSED

J. Emergency Management: Authorization: Community AED Program Grant
Application - Discussion and/or action

Councilor W. Steere stated that Jason Rhodes, EMA Director, has asked the Council to authorize the Community AED Program Grant. Jason would like to provide an AED for the Police Station.

Discussion: Jason Rhodes, EMA Director, stated that this is a grant program through Lifespan which would provide the Police Department with an AED (Automated External Defibrillator) to be used in case of a cardiac event.

MOTION was made by Councilor G. Steere to AUTHORIZE the Town Council President to sign the Community AED Program Grant Application dated October 17, 2013; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame.

NAYS: 0

MOTION PASSED

IX. Council Correspondence/Discussion

- A. Councilor W. Steere stated that he met with members of the Chepachet Fire District with regard to the period lighting in the Village. The Fire District has reiterated their position that they do not wish to maintain any more lights than they already do.

Councilor W. Steere stated that when he mentioned capping some of the large overhead lights, the response was that many of those lights are there specifically for public safety. There was a suggestion made that timers be installed to save electricity, resulting in a cost savings. Councilor W. Steere stated that there was discussion regarding a street lighting celebration, perhaps in coordination with Candlelight Shopping in December.

- B. Councilor Reichert spoke about a letter the Council received from Mrs. Cedor of Saw Mill Road. Mrs. Cedor expressed concern regarding the condition of Winsor Park. There is also concern regarding rumors that there will be houses built with the right-of-way used as access. Tim Kane, Assistant Town Solicitor, stated that he is skeptical but will look into the matter.

X. Department Head Report/Discussion Bds. & Commissions - Discussion

- A. Ray Goff, Town Planner, reported that the paving in the Village will begin on Monday and be completed by Wednesday of next week.

- B. Councilor W. Steere thanked Viviane Valentine, Tax Assessor, for her many years of service. V. Valentine expressed appreciation to the Town's residents and administration for their cooperation.

- C. Joseph DelPrete, Chief of Police, gave an update regarding personnel issues. Chief DelPrete stated that he and the Council President must sign a form from the State Academy concerning conditional officers' employment. Chief DelPrete requested authorization from the Council. Councilor W. Steere noted that this is not on the agenda. Chief DelPrete asked if it could be addressed at the next meeting. There was Council consensus to authorize the signature and ratify at the next meeting.
- D. Jason Rhodes, EMA Director, stated that on November 6th, a vaccination clinic will be held at Ponaganset High School, adding that there will be no out-of-pocket cost for the shots. Jason Rhodes stated the clinic will be run by the Department of Health and will allow us to test our MEDS (Medical Emergency Distribution System) program. J. Rhodes reported that the RIEMA has purchased the CodeRed System and noted that Gloucester will receive a discount from CodeRed as a result.

Councilor W. Steere asked J. Rhodes for an update on Heartsafe Community. J. Rhodes stated that by signing the Community AED Program Grant Application, we are in a good position to apply.

- E. Judy Branch, Director of Human Services, spoke about the services provided by her department. J. Branch stated that many people think that the Food Bank is the only service offered, but noted that her office also provides transportation to medical appointments and shopping trips, as well as energy assistance.

J. Branch stated that she transports approximately 53 people per month to medical appointments. J. Branch stated that she has three (3) part-time drivers, but one is out ill. Regarding the van, J. Branch stated that it is useful when she has several people who have appointments in the same area, however there are people who are too ill or uncomfortable to ride in the vehicle.

J. Branch stated that she has asked her clients to try to get doctors who are closer because a lot of money is being spent on gas. Regarding the shopping trips, J. Branch stated that it has been brought to her attention that most of the people who use the service have cars which they can drive. J. Branch stated that she has altered the schedule to provide shopping trips every other week instead of weekly, adding that she would like to stop the program entirely.

Judy Branch expressed appreciation to Linda Nichols of the Community Resource Commission for the food donated from the community garden. J. Branch noted that Thanksgiving is coming up and there will be a need for turkey vouchers and other donations.

J. Branch reported that she has 100 open files for the Food Pantry. J. Branch stated that she has already gotten requests for heating assistance and anticipates that there will be many requests this winter.

J. Branch noted that she has great volunteers and loves what her department does for the community, but she needs support to continue to provide these services.

F. Anne Ejnes, School Committee member, expressed hope that a decision will be made soon regarding the new Finance Director/Business Manager. A. Ejnes stated that at the next meeting of the School Committee on October 29, the Superintendent will present a proposal for full-day kindergarten. A. Ejnes pointed out that the students would be considered full time with regard to the Funding Formula, and it would allow us to eliminate the mid-day bus run.

A. Ejnes stated her opinion that full-day kindergarten would be financially feasible. Councilor Reichert asked if full-day would be mandatory for all students. A. Ejnes replied that families could opt out and send their children half-day, however, transportation would not be provided.

G. Edna Kent, Town Historian, reported that she will be conducting a tour of the School House for elementary school students on November 5th. E. Kent stated that she is doing work for the State Historic Cemetery Commission with regard to GPS work for the cemeteries in Gloucester. E. Kent noted that many of the cemeteries need to be cleaned up and added that there are Eagle Scouts working on some of them.

XI. Open Forum

A. Trevor Clark, of 2461 Putnam Pike, stated that he lives upstairs from the Clambox Restaurant and asked when the owners were granted a license to have entertainment until 1:00 a.m. Councilor W. Steere stated that he personally was unaware that there were tenants living above the establishment.

T. Clark stated that he has called the Police but the noise ordinance is not enforced. Tim Kane, Assistant Town Solicitor, stated that he would not advise the Police Chief to enforce the noise ordinance because the establishment has an entertainment license. T. Kane stated that the issue is a civil matter between the tenant and the landlord. Councilor W. Steere noted that a Public Hearing was held for anybody to voice their concerns about the license.

B. Marie Sweet, of Chestnut Hill Road, spoke about signs that are illegally placed on telephone poles throughout Town. Joseph DelPrete, Chief of Police, stated that he will work on that tomorrow. M. Sweet also objected to the wording of a sign at a local establishment which she found to be offensive.

M. Sweet stated that she is happy that the Gloucester Home Repair Program is back and commented that Diane Wrona is very efficient and will do a great job.

C. Linda Nichols, Community Resource Commission chair, stated that the Commission members were shocked to learn that a developer came to a Council meeting to give a presentation regarding solar power. L. Nichols stated her opinion that the Commission should have been notified so that they could have attended the meeting. Councilor W. Steere explained that this was regarding a private venture and the Council took no action. Councilor Reichert noted that the company approached him and other property owners about renting land. L. Nichols stated that she spoke to Mr. Barrett who stated

that he was doing this for the Town. Councilor W. Steere stated that this is inaccurate. L. Nichols stated that Mr. Barrett told her he was coming back to the Council on November 1st. Councilor W. Steere stated that this was the first he heard of it.

Linda Nichols spoke about the things done by the Commission for the benefit of the taxpayers. L. Nichols stated that she feels that the communication between the Commission and the Council could be better. Councilor W. Steere stated that the Council appreciates the work of all those who volunteer to serve on the Boards and Commissions.

- D. Rose LaVoie thanked the people from DOT who came out last week to look at the excessive signs on Main Street. R. LaVoie asked what happened to the wooden signs in the parking area which were replaced by metal signs. R. LaVoie stated that the wooden signs should be put back up to fit in with other signs in the Village. R. LaVoie asked if there is anything going on with regard to the River Park.

R. LaVoie noted that the plan was to install wooden walkways until DEM got involved and the area had to be dug up. Councilor W. Steere replied that the Council cannot speak to that right now, but will look into the matter. R. LaVoie stated that she called Charlie Fogarty and asked him to contact Wells Fargo regarding the Kent Property and suggested that a Council member call him with information regarding the ownership of the property.

- E. Charlie Wilson asked the Council to consider requesting a 25 mile per hour speed limit in the Village. C. Wilson stated that Candlelight Shopping is coming up December 5th, 12th and 19th.
- F. Walter Steere, Jr. spoke regarding recent events in Congress and commented that some Senators have put in their "pet projects" with other bills because they could not stand up on their own. W. Steere, Jr. stated that he feels that this is irresponsible.

XII. Seek to Convene to Executive Session Pursuant to:

- A. R.I.G.L. 42-46-5(a) (2) Collective Bargaining Police & Dispatcher contracts - Discussion and/or action
- B. R.I.G.L. 42-46-5(a) (1) Personnel - Discussion and/or action

MOTION was made by Councilor G. Steere to Convene to Executive Session Pursuant to: R.I.G.L. 42-46-5(a)(2) Collective Bargaining and 42-46-5(a)(1) Personnel; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame.

NAYS: 0

MOTION PASSED

XIII. Reconvene Open Session, Disclose Votes Taken in Executive Session

MOTION was made by Councilor Reichert to SEAL the minutes of Closed Executive Session and disclose no votes were taken in Executive Session; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame.

NAYS: 0

MOTION PASSED

XIV. A. Finance Director's Position

1. Appointment or Additional Actions (as necessary) - Discussion and/or action

MOTION was made by Councilor G. Steere to TABLE the appointment of the Finance Director's position and to schedule a Town Council meeting for October 22, 2013 at 7:00 p.m.; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame.

NAYS: 0

MOTION PASSED

XV. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 10:51 p.m.; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere and Burlingame.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the November 7, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **October 22, 2013**

I. Call to Order

The meeting was called to order at 7:00 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President; George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Jean Fecteau, Town Clerk

III. Pledge of Allegiance

The Pledge was recited.

IV. Seek to Convene to Executive Session Pursuant to:

- A. 42-46-5(a) (1) Personnel - Finance Director Candidate
- B. 42-46-5(a) (2) Collective Bargaining - Police Dispatcher

MOTION was made by Councilor Burlingame to ADJOURN to Closed Executive Session Pursuant to: R.I.G.L. 42-46-5(a) (1) Personnel - Finance Director Candidate & R.I.G.L. 42-46-5(a) (2) Collective Bargaining - Police Dispatcher contract; seconded by Councilor G. Steere.

Discussion: None

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

V. Reconvene Open Session & Disclosure of Votes Taken in Executive Session

MOTION was made by Councilor Sette to RECONVENE Open Session, State no votes were taken in Closed Executive Session and to SEAL the minutes of Closed Executive Session ; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VI. Finance Director's Position

A. Appointment or Additional Actions (as necessary)- Discussion and/or action

MOTION was made by Councilor Sette to Authorize the Council President, W. Steere, & Councilor Burlingame to negotiate a hiring offer to the candidate being considered for the Finance Director position , Dawn Dunn, contingent upon offer being accepted and a successful background check (BCI) being completed; seconded by Councilor G. Steere

Discussion:

Councilor Sette referred to a lot of changes to this position over the years and that the Finance Director "morphed" into the school business manager.

Councilor Sette stated we need to try to , perhaps, take some steps to avoid that happening again and that possibly temporarily, until the new person comes on board, this might be an opportunity to offer to someone in that office the opportunity to work along with the school department, regarding the budget and other tasks.

Councilor Sette stated Council also needs to talk to the school committee regarding the duties the former finance director was doing for them and where some of the those duties might be able to be shifted to the Superintendent. Councilor Sette stated this is all discussion at this point.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VII. Authorization: Agreement between R.I. Laborers Dist. Council, Local Union 1322 (on behalf of the Town of Gloucester Police Dispatchers), & the Town of Gloucester
Discussion and/or action

MOTION was made by Councilor Burlingame to RATIFY the Agreement, dated July 1, 2013 to June 30 , 2016 between R.I. Laborers Dist. Council, Local Union 1322 (on behalf of the Town of Gloucester Police Dispatchers), & the Town of Gloucester; seconded by Councilor G. Steere.

Discussion: Council thanked Councilors Burlingame and G. Steere for their work on negotiations.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VIII. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 8:11 p.m.; seconded by Councilor Sette

Discussion: none

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the November 7, 2013 Town Council Meeting.

At a Special meeting of the Town Council holden in and
for the Town of Gloucester on **October 31, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; George O. (Buster) Steere; &
Edward C. Burlingame

Also present: Jean Fecteau, Town Clerk

III. Pledge of Allegiance

The Pledge was recited.

IV. Personnel

A. Finance Director's Position - Discussion and/or action
Discussion/Plan/Actions (as necessary)

Councilor W. Steere explained Council needed this meeting to discuss the next step of action for the search to fill the Finance Directors position.

Councilor W. Steere asked the Acting Finance Director, Jane Steere, for a status report on the Finance Office.

J. Steere stated the clerks in the finance office keep her informed. J. Steere stated the Budget Board can handle the budget until computer input is needed and the Budget Chair will work with that office to the extent they usually do.

J. Steere reported that necessary meetings are being attended. J. Steere also stated she continues to handle wires, approving & signing checks, and inputting school accounts payable (which she has been doing for two years).

Councillor Burlingame questioned the status of the audit. J. Steere stated the auditors are a little ahead of schedule as to where they were last year at this time and project they will be done in November.

Anne Ejnes, School Committee member, stated she is concerned about the school's budget preparation process. A. Ejnes indicated that she is unsure as to whom she should be reaching out to for budget preparation work in the Finance office. A. Ejnes recommended a joint meeting between Council and School Committee to determine the process for future budget preparations.

Councilor G. Steere questioned if any action had been taken this week towards hiring someone to help with budget preparation.

A. Ejnes stated she had put a motion before the school committee to authorize the Superintendent to spend up to a certain amount to hire someone to work on the budget, but the motion was not supported. There was discussion that the school committees sentiments are that the town is suppose to be doing the budget work.

Discussion followed on the duties of the Finance Office relative to the School Department. Councilor Burlingame stated the Charter change stated the Town would do the “accounting” for the School Department and what that may have turned into was discussed. Some areas of where the Town’s Finance Director could be pulled back from, in relation to the School, where discussed. (Examples: attendance at meetings, & contract negotiations)

Councilor G. Steere agreed the position may have morphed into more than intended and placed stress on that office.

It was agreed that for the long term discussion should occur on what duties are appropriate to accounting and for the short term J. Steere & Anne Ejnes will plan a meeting to determine how best to complete current tasks.

Discussion followed on the Finance Director’s position summary, recently prepared, and some potential amendments to eliminate redundancy or too much detail. Councilors pointed out items that should be eliminated on the job description currently being presented to potential applicants. It was agreed that all Council members would review the current job description , give their recommendations, and Councilor Burlingame will work on an amended description.

MOTION was made by Councilor Burlingame to re-advertise for the position of Finance Director, as soon as possible; seconded by Councilor G. Steere.

Discussion: The plan was to aim for November 9 & 10th advertising.

VOTE: AYES: W. Steere, G. Steere, Burlingame

NAYS: 0

MOTION PASSED

MOTION was made by Councilor Burlingame to participate in a meeting with school committee, Acting Finance Director, Council representation, & Superintendent to discuss long term and short term solutions to matters relating to the position of school business manager; seconded by Councilor G. Steere.

Discussion: none

VOTE: AYES: W. Steere, G. Steere, Burlingame

NAYS: 0

MOTION PASSED

V. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 8:08 p.m.; seconded by Councilor G. Steere.

Discussion: none

VOTE: AYES: W. Steere, G. Steere, Burlingame

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the December 5, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **November 7, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President; George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Jean Fecteau, Town Clerk; Tim Kane, Assistant Town Solicitor; Susan Harris, Deputy Town Clerk; Joseph DelPrete, Chief of Police; Jane Steere, Interim Finance Director; Gary Treml, Director of Public Works; Raymond Goff, Town Planner; Judy Branch, Director of Human Services; and Jason Rhodes, Emergency Management Director.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum - Agenda Items

None

V. Citations- Discussion and/or action

A. Eagle Scouts

Councilor W. Steere stated that we have Citations for 4 scouts from Troop #10, Chepachet that have obtained the position of Eagle Scout: Tyler Michael Hagerty, Kevin Douglas Aurelio, Russell Hanrahan Brown, Joshua Johnson Ejnes:

Councilor Sette read the following Citation into the record:

**Tyler Michael Hagerty
in recognition of
achieving the highest ranking honor of
Eagle Scout
in the
Boy Scouts of America**

To achieve this honor Tyler did work diligently and consistently for several years participating in troop activities, earning badges, and taking part in community service projects. Tyler organized Scouts in a two day food drive and collected 434 pounds of food for the Gloucester Food Bank.

The Town Council, Town Clerk and citizens of Gloucester are proud to have Tyler Hagerty of Boy Scout Troop 10 as a member of our community.

Councilor Reichert read the following Citation into the record:

**Kevin Douglas Aurelio
in recognition of
achieving the highest ranking honor of
Eagle Scout
in the
Boy Scouts of America**

To achieve this honor Kevin did work diligently and consistently for several years participating in troop activities, earning badges, and taking part in community service projects. Kevin organized Scouts from local troops in cleaning and refurbishing an area at the High School to be used by the physical education class

The Town Council, Town Clerk and citizens of Gloucester are proud to have Kevin Aurelio of Boy Scout Troop 10 as a member of our community.

Councilor W. Steere read the following Citation into the record:

**Russell Hanrahan Brown
in recognition of
achieving the highest ranking honor of
Eagle Scout
in the
Boy Scouts of America**

To achieve this honor Russell did work diligently and consistently for several years participating in troop activities, earning badges, and taking part in community service projects. Russell organized Scouts from three local troops in clearing brush and debris, and established a compost area at the Harmony Library.

The Town Council, Town Clerk and citizens of Gloucester are proud to have Russell Brown of Boy Scout Troop 10 as a member of our community.

Councilor G. Steere read the following Citation into the record:

**Joshua Johnson Ejnes
in recognition of
achieving the highest ranking honor of
Eagle Scout
in the
Boy Scouts of America**

To achieve this honor Joshua did work diligently and consistently for several years participating in troop activities, earning badges, and taking part in community service projects. Joshua organized Scouts from local troops in clearing trails and repainting a bridge on a nature trail at Winsor Park in Harmony.

The Town Council, Town Clerk and citizens of Gloucester are proud to have Joshua Ejnes of Boy Scout Troop 10 as a member of our community.

seconded by Councilor Burlingame

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Councilor W. Steere congratulated the Eagle Scouts for their hard work.

VI. Public Hearings

A. Gloucester Code of Ordinance

Proposed Amendments to Zoning Map - P.U.D.

Applicant/Owner: Julian Fogue

Address: 401 Snake Hill Road, also known as A.P. 18, Lot 10

1. Boundary/lot amendments - Discussion and/or action
2. Additional Use within the P.U.D. - Discussion and/or action

Councilor W. Steere stated that this Public Hearing was advertised Oct. 10th, 17th, & 24th in the Valley Breeze Observer and abutters notices were sent.

Councilor W. Steere DECLARED the Public Hearing Open and read the following recommendation from the Planning Board:

MOTION was made by Member Pitocco for a positive recommendation to the Town Council regarding an application for an Amendment to a previously approved Planned Unit Development to:

- a. amend the boundaries of the PUD;
- b. create an additional lot and;
- c. installation of a solar farm.

The application is made by Applicant/owner **Julian Fogue** for property located off Snake Hill Road, further described as Assessors Plat 18, Lot 10, in a Planned Unit Development zone. It would involve the applicant's property and other neighboring lots.

Applicant/Owner seeks to split the existing business (Sub-lot A) off from the home site on AP 18, Lot 10. In addition, and in order to create 50.00 feet frontage for the home site, a

land swap with AP 18, Lot 293 and AP 18, Lot 18 has been proposed. This land swap would amend the boundaries of the PUD.

The proposal also includes a request to allow for the installation of solar panels that will generate power which is to be sold. The installation is proposed for the Northwest portion of the property. There will be no noise, light, glare or other nuisances created by the installation.

In making this recommendation the Board has relied on the following:

1. Information contained in the application;
2. Drawings provided by the applicant;
3. Testimony of the applicant, Julian Forgue, at the October 7, 2013 Planning Board meeting.
4. Site visits by individual Planning Board members prior to the meeting.

In conclusion, the Board finds that granting this application would be consistent with the Gloucester Comprehensive Community Plan 3.2.3 Take steps that will enable Gloucester to be a pleasurable place to live, work and raise a family; 5.2.1, Allow for future economic development to occur that does not conflict with or degrades the desirable attributes of the Town and that help sustain the Gloucester Vision by allowing economic sustain ability; 5.2.3 Broaden and diversify the Town's economic base to reduce the residential sector's property tax burden.5.2.4 Encourage efforts that use the natural features of Gloucester as an inducement to foster economic activity and growth.

The Board hereby forwards this recommendation for consideration to the Gloucester Town Council.

MOTION was seconded by Member Furney.

VOTE: Ayes - Unanimous

(end of motion)

Councilor W. Steere read the following correspondence from the Planner outlining what the Zone Change requested represents:

From: Ray Goff, Town Planner

Re: Jay Forgue PUD Zone Change Application

Date: November 5, 2013

I am sending this memo to the Council in order to help understand what is being requested from the applicant, Jay Forgue in his PUD zoning amendment request.

Essentially there are three requests being made in this application: The first is a subdivision application for a new lot to be created for the location of the business (Tourbillion Trailer Sales) which will be separate from the residence. Currently these two uses are on one property and the applicant would like them to be on individual properties.

Second, since the residence would not have any frontage on a Town or State road, the applicant is proposing to do a land swap with two neighboring properties to create 50 feet of frontage on Snake Hill Road. The location is where his current driveway is located and it currently involves a right of way over these properties. Because of the land swap with the neighbors, the boundaries of the previously approved PUD need to be adjusted. This is the only way in which the PUD is changing in shape. All of the lots that were part of the PUD are still part of it and will not change as a result of this application.

Third, there is a request by the applicant to allow the use of some of the open space property to the West of the home site to be used for locating a solar facility. Since this property was approved as a PUD with all the uses identified in the approval, any change in use of this property requires an approval by the Town Council.

(End of memo)

Discussion: Councilor W. Steere asked if anyone wished to be heard regarding this application, to please step to the microphone and state your name and address.

1. Todd Beauregard, 493 Snake Hill Road, asked to see a map indicating the proposed design. T. Beauregard was shown the map which was submitted with the application. T. Beauregard pointed out that this is not the map which the applicant brought to the Planning Board. T. Beauregard stated that his property is on a lower level and expressed concern that he will have flooding. Ray Goff, Town Planner, stated that there was another map submitted and went to his office to retrieve it.
2. Susan Bridges, 399 Snake Hill Road, stated that she was unaware that Tourbillon Trailer Sales was to be carved out and asked how big the parcel would be. Councilor W. Steere replied that according to the plan, the parcel would be approximately six (6) acres. S. Bridges asked what are the applicant's intentions for the six (6) acre parcel of land. S. Bridges stated that it is her understanding that this is an agricultural zone and asked if a piece of property which does not contain a house could be carved out.

Tim Kane, Assistant Town Solicitor, replied that the zone is A-4 and the applicant is following the proper procedure by going before the Planning Board and Town Council to amend the PUD, which was first enacted in the late 1980's. S. Bridges asked what A-4 stands for. T. Kane replied agricultural use with a 4-acre minimum lot size. S. Bridges commented that the use would be commercial, not agricultural.

T. Kane replied that legally it is the same use that exists on the property now. S. Bridges stated that the farm, trailer sales and barn are located on a sixty (60) acre parcel and by carving out six (6) acres it would no longer be a farm. T. Kane stated that he sees the application as keeping the same uses and only changing the lot lines.

Councilor Burlingame stated that this application does not change the use of the property or definition of the PUD. S. Bridges stated that the PUD required a house on at least two (2) acres of land. T. Kane stated that this is the reason the applicant is coming to the Town Council to ask for an amendment. S. Bridges commented that this would require a zone change to Commercial

from Agricultural. T. Kane disagreed, stating that the application asks that the lines around the lot be changed and the current use be allowed to continue. Councilor G. Steere asked if the only use allowed would be what was originally allowed. T. Kane stated that this is his opinion. S. Bridges again asked what are the applicant's intentions regarding the lot on which the trailer sales is now located.

3. Julian Forgue, applicant, explained that he wishes to separate the trailer sales from the property due to financial reasons. J. Forgue further stated that because the PUD has a mixed use, he cannot get a residential mortgage for his home. J. Forgue stated that he has to get a commercial mortgage and is concerned that if anything ever happens to him, his wife may be forced from the house due to a mortgage on the trailer sales business.
4. Ed Delfino, of the Melody Hill Country Club, stated that he is an abutting property owner. E. Delfino stated that the applicant will earn money with the solar farm and asked if this makes it commercial. E. Delfino noted that his property was re-zoned as Commercial because it includes a golf course which earns money. T. Kane stated that the applicant has not requested to have the six (6) acre parcel zoned Commercial so it would remain PUD and would be limited to the use that is on there right now.

Regarding the solar panels, T. Kane stated that the applicant is asking for permission because the PUD zone is very restrictive as it was drafted. T. Kane stated that he does not consider this a commercial zone change. T. Kane noted that several solar facilities have been allowed in agricultural and residential zones. E. Delfino stated that he pays higher taxes because his property is zoned commercial as opposed to agricultural. T. Kane explained that Gloucester does not have a split tax rate but Mr. Delfino may pay more taxes because his property is assessed higher, due to the golf course.

5. Councilor Sette asked the applicant if the entire operation of Tourbillon Farm will remain only on the six (6) acre parcel. J. Forgue replied in the affirmative.
6. Councilor W. Steere asked Ray Goff, Town Planner, if the map shows where the solar field would be located. R. Goff replied that he could not locate the plan, but he believes the solar panels would be placed on approximately five (5) acres in the northwest corner of the property. R. Goff noted that there is a tree buffer between the area and the neighboring properties.
7. Cheryl Beauregard stated that the zoning map indicates that her driveway will be used by the applicant. T. Kane noted that there is no right-of-way, therefore the applicant cannot use the driveway. (At this point there was conversation between the applicant and the abutting property owners, but the dialog was inaudible.)

Councilor W. Steere asked if the Council members had any questions or comments. Councilor Sette commented that the Council should see the map that everyone is referring to so they can have a visual representation. Councilor W. Steere agreed. Councilor G. Steere asked the applicant if he was considering asking the Beauregards for a right-of-way. J. Forgue, applicant, replied that he had not done so yet because no approvals have been given. J. Forgue noted that

there are separate maps for the lot split and the solar facility. Councilor Sette stated that this is where the questions are coming from and asked if the Council could get the map for the solar. J. Forgue stated that he can supply the map.

Councilor Burlingame asked the applicant what he would do if he is unable to get a right-of-way through the Beauregards' property. J. Forgue replied that he would put in a trail along the driveway of Tourbillon Farms.

Regarding the solar application, Councilor W. Steere stated that he would like to wait until the next meeting to make a decision. Councilor Burlingame stated that there other issues which could be handled separately. Councilor W. Steere stated his opinion that all of the requests are linked and should be addressed at the same time. Councilor Burlingame disagreed, stating that the carving out of the lot seems justified and the land swap makes sense. Councilor Burlingame stated that he sees no reason not to approve these requests tonight.

Councilor W. Steere expressed his opinion that it would be prudent to wait and address all three requests at the same time. Councilor G. Steere agreed with Councilor Burlingame, but noted that he would like to see the solar map before making a decision on that matter. Councilor G. Steere added that he has no problem with changing the lot lines provided there is no expansion or change of use within the PUD. Councilor Sette stated that if an issue comes up with the solar application and it is not approved, the lot would already be carved out, and asked if the applicant would wish to go back to the original PUD.

J. Forgue, applicant, replied in the negative, adding that he is in favor of the Council making a decision on the property issue and waiting for a decision on the solar plan. There was Council consensus to have in the record that there will be no expansion of use. J. Forgue noted that if he wished to expand his business, he would have to go through this same process.

Councilor W. Steere DECLARED the Public Hearing CLOSED with respect to a. amend the boundaries of the PUD as submitted and; b. subdivide AP 18 Lot 10 thereby creating an additional lot as submitted.

MOTION was made by Councilor Burlingame to CONTINUE until November 21, 2013 the Public Hearing for application to install a solar farm applicable to all Town regulations and building codes in place at the time town permits are obtained; seconded by Councilor G. Steere.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

MOTION was made by Councilor Burlingame to GRANT the Amendments to the Gloucester Code of Ordinance, Zoning Map re: Gloucester Pines, Planned Unit District, Applicant/Owner: Julian Forgue, Address: 401 Snake Hill Road, also known as A.P. 18, Lot 10 to allow the applicant to: a. amend the boundaries of the PUD as submitted; and b. To subdivide lot AP 18, Lot 10 thereby creating an additional lot as submitted; seconded by Councilor G. Steere.

VOTE: AYES: Reichert, G. Steere, Burlingame and Sette.
NAYS: W. Steere
MOTION PASSED

- B. Town Council acting as Licensing Board
 - 1. Proposed New Victualing License - Discussion and/or action
Applicant: Kristen Dexter; Village Bean Café
Location: 15 Money Hill Road, also known as A.P. 10A, Lot 44

Councilor W. Steere stated that the Council, acting as Licensing Board has received an application for a new victualing license. Councilor W. Steere stated that this Public Hearing was advertised in the Valley Breeze/Observer October 10th, 17th & 24th.

Councilor W. Steere DECLARED the Public Hearing OPEN and stated that police approval and fire approval will be sought when construction is complete.

Kristen Dexter, applicant, stated that she has operated the Village Bean Café in Scituate for ten (10) years and wishes to move her business to this location in Gloucester. K. Dexter noted that she plans to serve good quality food using local eggs and produce whenever possible.

Councilor W. Steere asked if anyone wished to speak regarding this application. Hearing none, Councilor W. Steere DECLARED the Public Hearing Closed.

MOTION was made by Councilor Sette to GRANT the issuance of a Victualing License to: Applicant: Kristen Dexter; Village Bean Café, Location: 15 Money Hill Road, also known as A.P. 10A, Lot 44 pursuant to: 1) payment of all Town taxes; 2) Building/Zoning approval as needed; 3) Police and or Fire inspection approval as needed; 4) Health Department approval; 5) Food Manager Certificate; 6) Rhode Island Permit to Make Sales; 7) copy of current menu to remain on file in Clerk's Office; this license shall be for the interior of the premise only and is valid to November 30, 2014; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

VII. Consent Items

- A. Approval of Town Council Minutes of October 3, October 17, & October 22, 2013 - Discussion and/or action

MOTION was made by Councilor G. Steere to APPROVE the Town Council minutes of October 3, October 17, & October 22, 2013; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

It was stated that Councilor Sette abstained from the vote regarding the minutes of October 17, 2013 as he was not present at the meeting.

VIII. Unfinished Business

A. Boards & Commissions

1. Appointments - Discussion and/or action
 - a. Charter Review Commission

Councilor W. Steere stated that the Council has received an updated list of people interested in serving on this commission. It was noted there are nine (9) positions on the Commission and eight (8) applications have been received. Councilor Reichert stated that he has an application from Dennis Cipriano. Councilor Burlingame stated that he would like to wait until the next meeting to see if any additional applications are submitted.

MOTION was made by Councilor Burlingame to TABLE until the next meeting the appointments to the Charter Review Commission; seconded by Councilor G. Steere.

Discussion: There was Council consensus to set a cutoff date of 11/18/13 for applications.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

- b. Board of Canvassers - One six year term to expire 03/2016

Councilor W. Steere stated that the Chair of the Town Democratic Party is working with the Clerk to find someone to fill the vacancy on the Board of Canvassers. The Clerk asked that this item be tabled to next month.

MOTION was made by Councilor Reichert to TABLE the appointment to the Board of Canvassers for one six year term to expire 3/2016 to the December 19th Council meeting; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

2. Finance Director Position - Discussion and/or action
 1. Additional Action (as necessary)

Discussion: Councilor Burlingame stated that this position has been re-advertised. Councilor Sette asked if this will be handled with a committee as it was the last time. It was stated that time is of the essence and we need to get somebody in place. Councilor Sette explained that the Screening Committee forwarded two (2) names to the Council and the position was offered to one of the candidates who declined the position.

Councilor Sette further stated that the other candidate was not suitable, in the Council's opinion. There was discussion regarding the job description. Councilor Burlingame suggested that the Council wait to see how many applications are received and then decide how to proceed. Councilor Sette stated that a copy of the posting should be forwarded to the GFOA (Government Finance Officers Association).

IX. New Business

- A. Gloucester Code of Ordinance - 1st Reading
Proposed Ordinance Addition: Chapter 350, Section 46. Article VII. Special Regulations - Solar Facility - Discussion and/or action

Councilor W. Steere stated that the Council has received a request from the Planner regarding an ordinance in the Zoning Ordinance to allow the use of solar facilities. Copies are available for the public.

MOTION was made by Councilor Sette to Waive the 1st reading of **Proposed Solar Facilities Ordinance, Article VII, Special Regulations §350-46**; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Councilor W. Steere explained that this Ordinance is being proposed because there have been several solar projects requested in Town, one of which was before the Council tonight. Councilor Burlingame stated that there are questions regarding the taxation of these facilities. Councilor Burlingame stated that the Tax Assessor is looking into this matter. Councilor W. Steere stated that there are also concerns with regard to screening, encroachment and setbacks. Councilor W. Steere stated that the proposed Ordinance addresses these issues.

Proposed Solar Facilities Ordinance
Article VII, Special Regulations
§350-46

Purpose: To create standards for locating, design, construction, operating, modification and removal of such installations that address the public safety and minimize the impact of the facility on neighboring properties.

I. Definitions:

A. Solar Facilities: An area of land designated for the purpose of producing photovoltaic electricity.

II. Allowable Zoning Districts and Design Standards for Solar Facilities

A. Solar Facilities shall be a Permitted Use in all zoning districts, and will conform to the following requirements:

1. **Solar Facilities Development and Design Standards.** Solar energy systems, solar facilities development standards shall be:
 - a) **Height.** Systems, equipment and structures shall not exceed **12** feet in height when ground mounted. Roof mounted systems shall not exceed the maximum height for the applicable zoning district.
 - b) **Setbacks.** Active solar system structures must meet the following setbacks:
 1. Ground-mounted. Ground-mounted solar energy systems as part of a solar facility shall meet the minimum zoning setbacks for the zoning district in which it is located.
 2. Encroachment into the building setbacks for ground mounted facilities are allowed only in situations where the placement of panels will cross the property lines of one or more properties. The encroachment is allowed only in situations where such design will lead to a seamless installation of the solar facility.
 - c) **Distribution lines.** To the extent practical, all new distribution lines to any building, structure or utility connection shall be located below ground.
 - d) **Approved solar components.** Electric solar system components must have a UL listing or equivalent.
 - e) **Compliance with building code.** All active solar systems shall meet all requirements of the State Building Code and shall be inspected by a town building inspector.
 - f) **Compliance with National Electric Code.** All photovoltaic systems shall comply with the National Electrical Code, current edition.

- g) **Abandonment.** It is the responsibility of the parcel owner to remove all obsolete or unused systems within 12 months of cessation of operations. Reusable components are to be recycled whenever feasible.
- h) **Security Fencing** A security fence shall surround the perimeter of the solar facility.
- I) **Emergency Access** Reasonable accessibility for emergency services vehicles shall be required.
- j) **Signage** No signage is allowed on the solar facility fencing except for a sign displaying the facility name, address and emergency contact information.
Signs such as no trespassing, warning or danger signs are allowed as needed to ensure the safety of individuals who may come in contact with the facility.
- k) **Screening** All facilities must be properly screened from abutting properties.

Other Requirements All Solar facilities are subject to Development Plan Review.

*Must amend the Table of Use Regulations to include “Solar Facilities”.
(end of proposed ordinance)

MOTION was made by Councilor Burlingame to SET a Public Hearing for the proposed addition to the Gloucester Code of Ordinance, **Solar Facilities Ordinance, Article VII, Special Regulations §350-46** for December 5, 2013; seconded by Councilor G. Steere.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Police Department - Ratify Authorization for Conditional Appointments - Discussion and/or action

Councilor W. Steere stated that the Chief of Police has requested the following: authorization for the Town Council President and the Chief to sign conditional offers of employment for four applicants to the Gloucester Police Department. This is needed before they can move forward and take other state mandated tests before they are eligible for selection.

Discussion: Councilor W. Steere pointed out that this does not mean that we are hiring four new officers; these would be candidates for any open positions on the Police force.

MOTION was made by Councilor Sette to Authorize the Town Council President and the Chief of Police to sign conditional offers of employment for four applicants to the Gloucester Police Department to allow state mandated eligibility testing; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. Kent Property

1. RI DEM Open Space Grant Application - Historic Parks/Passive Development Grants - Discussion and/or action

Councilor W. Steere stated that Ray Goff, Town Planner, has requested the Authorization of the following grant application:

Rhode Island Open Space Grant Application, Historic Parks / Passive Recreation, Development Grants for the Cora Kent Property (Chepachet Village Green); Location (Street Address): ***Putnam Pike Plat 10C, Lot 12.***

Discussion: Ray Goff stated that the Council has established a committee to work on developing this property into a park or Village Green. R. Goff stated that there is DEM funding available of up to \$100,000 which is a 90% grant for Historic Passive Parks. R. Goff asked the Council to authorize him to submit an application. Councilor W. Steere asked what is the acreage of the property. R. Goff replied that the parcel contains 1.4 acres. Councilor W. Steere asked what would happen if we are not awarded the grant. R. Goff stated that he would continue to seek alternate funding.

MOTION was made by Councilor Burlingame to AUTHORIZE the submission of the RI DEM Open Space Grant Application - Historic Parks/Passive Development Grants, Application Number 2013-80- to be utilized for Kent Property project, Plat 10C, Lot 12; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Property Development (Volunteers and/or DPW) - Discussion and/or action

Councilor G. Steere stated that the Public Works Department has been crushing material for the purpose of bringing up the grade of the property to make it useable for the above mentioned project. G. Treml explained that he plans to leave the wall exposed on the back side and install a circular access road.

Dave Steere, Budget Board chair, asked who will be doing the crushing of material and how much it will cost. The response was \$58,000. D. Steere asked which budget line item this will come out of. The response was the road account.

D. Chepachet Village Street Lighting - Discussion and/or action

Councilor W. Steere commented that one of the light posts in the Village was unintentionally destroyed. Councilor W. Steere noted that the Council's opinion all along was that the lights were installed too close to the road and would be damaged by snow plows. Councilor G. Steere stated that a witness saw a D'Ambra vehicle cause the damage.

Councilor Burlingame relayed an incident last week where a truck with a wide load nearly hit the posts, and ran over the cones in the middle of the road instead. Councilor Burlingame commented that when DOT was asked why the poles were not positioned further back, their response was that this was the current design. Councilor Burlingame stated that this is untrue because the poles that are now being installed in Greenville are set back.

Councilor Sette noted that when the light pole was damaged, somebody placed a sign on it which read "Told you so." Councilor Sette suggested that the Council and other residents add their signatures to the sign and sent it to the Director of the DOT, adding that this would have more impact than a letter.

Ray Goff, Town Planner, stated that he sent photos of the damage to DOT and heard back from Gee Mariam today. Mr. Goff stated G. Mariam admitted that there is a problem and stated that 90% of the light poles installed throughout the State are placed further back on the sidewalk. R. Goff stated that G. Mariam suggested that we send a letter to the Director stating that something must be done to correct the situation.

Councilor Burlingame stated that we must remain firm on this and insist that the lights be moved back. Councilor W. Steere noted that once we sign off on this project, we will own the lights and will be responsible for their repair and/or replacement. Councilor Burlingame stated that we should not accept responsibility for the lights in their current position. Councilor Sette suggested that we have a local newspaper take pictures of what happened. Councilor W. Steere stated that we could also get our State representatives involved.

MOTION was made by Councilor Burlingame to send a letter out immediately to the Department of Transportation complaining about the lights being in an unacceptable location and ask when they will be relocated to the back of the sidewalks; seconded by Councilor Reichert.

Discussion: Councilor W. Steere asked who will draft the correspondence. There was Council consensus to direct the Town Planner to compose the letter.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

E. Board of Contract and Purchases

1. Award Bid - IFB 2014-04 Equipment Rental - Discussion and/or action

Councilor W. Steere read the following recommendation from the Board of Contracts and Purchases:

A meeting of the Board of Contracts and Purchases convened at 2:32p.m. at the Town Hall in Town Council Chambers.

1. Roll Call

Present: Jane Steere- Interim Finance Director/Tax Collector

Susan Harris- Deputy Town Clerk

Raymond Goff-Town Planner

Also Present: Gary Treml, John Tucker, and Ted O'Donoghue. J.R. Vinagro Corp.

1. One (1) bid was received for IFB 2014-04 Equipment Rental

The bid was as follows:

J. R. Vinagro Corp. \$58,000.00 for one month for crushers with operator

Optional 85' Conveyor if needed- \$800.00 per week, \$3200.00 per month

2. R. Goff recommended bid be awarded to J. R. Vinagro Corp. at a cost of \$58,000.00 for one month, with the 85' Conveyor option of \$800.00 per week or \$3200.00 per month.

Public Works Director, G. Treml supported this recommendation.

S. Harris seconded. Approved by all.

3. Goff made motion to adjourn at 2:36p.m., was seconded by Harris.

Respectfully submitted,

Jane A. Steere,

Interim Finance Director/Tax Collector

(end of minutes)

Discussion: None.

MOTION was made by Councilor Reichert to AWARD IFB 2014-04 Equipment Rental to J.R. Vinagro Corp \$58000.00 for one month, with the 85' Conveyor option of \$800.00 per week or \$3200.00 per month; seconded by Councilor G. Steere.

Discussion: Councilor G. Steere asked Gary Treml, Director of Public Works, if the equipment will be needed for a month. G. Treml replied that if we complete the work within two (2) weeks, we will receive a rebate of \$18,000.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Bid Extension Approvals - Discussion and/or action
 - a. 2012-02 Cardi Corporation - Hot Mix Asphalt
 - b. 2011-01 Murray Paving & Reclamation – Reclamation
 - c. 2010-08 Comer Contracting - Chip Sealing

Councilor W. Steere stated that Public Works has requested bid extensions be approved by Council. Councilor W. Steere stated Council has received signed copies of the agreements from each vendor and Council must now approve for these extensions to be granted.

Discussion: Councilor Reichert stated that he must recuse himself from this matter.

MOTION was made by Councilor Burlingame to APPROVE the following Bid extensions: 2012-02 Cardi Corporation - Hot Mix Asphalt -to November 1, 2014; 2011-01 Murray Paving & Reclamation – Reclamation - to November 1, 2014; & 2010-08 Comer Contracting - Chip Sealing - to October 15, 2014; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.

NAYS: 0

RECUSAL:Reichert

MOTION PASSED

F. Community Development Block Grant - Gloucester Home Repair Program:
Environmental Review for Contract #11/13/25

Councilor W. Steere stated this Contract is an annual document required for CDBG funds, including three portions, one for each proposed project: Administration of Gloucester Home Repair; Gloucester food pantry; & Community Housing Land Trust. Councilor W. Steere stated the forms are a formality as all of the projects noted are exempt from environmental review.

Discussion: Ray Goff, Town Planner, explained that this paperwork will free up funding for the program.

MOTION was made by Councilor Burlingame to AUTHORIZE the Town Council President to sign the Environmental Review for Activity/Project that is Exempt or Categorically Excluded Not Subject to Section 58.5. Pursuant to 24 CFR Part 58.34(a) and 58.35(b) as required by the U.S. Department for Housing & Urban Development for Gloucester’s Contract #11/13/25; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

G. C.A.S.T. Agreement - Discussion and/or action
Between the RI Dept. of Behavioral Healthcare, Developmental Disabilities &
Hospitals & the Foster/Glocester Regional School District

Councilor W. Steere stated that the Finance Office is requesting Council approval of this agreement.

Discussion: Councilor Sette explained the Town of Glocester administers this grant and has done so for a number of years. Councilor Sette noted that the funding has been cut approximately 20% by the Federal Government, but it is still fairly substantial.

MOTION was made by Councilor Sette to AUTHORIZE the Town Council President to sign the RISAPA Agreement entitled: Agreement Between the State of Rhode Island and Providence Plantations Behavioral Healthcare, Developmental Disabilities and Hospitals and Foster-Glocester Regional School District for the contract award amount of \$32,201 for the performance period July 1, 2013 to June 30, 2014; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

H. Safety Commission - Recommendation - Discussion and/or action
Country Meadow Lane & Pound Road

Councilor W. Steere read the following memo from the Chief of Police:

To: Honorable Town Council
From: Chief Joseph DelPrete
Subj: Stop Sign

On Thursday October 17, 2013 the Town Council requested that the Safety Commission consider a stop sign at the intersection of Country Meadow Road, and Pound Road in Glocester.

A poll of safety commission members voted to install the stop sign on Country Meadow Road at the Pound Round intersection. Town Highway advised they will install this stop sign and street sign at this location at their earliest convenience when authorized by the Town Council.

Respectfully Submitted,
Joseph DelPrete
(end of memo)

Discussion: None.

MOTION was made by Councilor Sette to AUTHORIZE the Public Works Department to install a stop sign & street sign at the intersection of Country Meadow Road and Pound Road; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

I. Private Road Maintenance - Kent Drive - Discussion and/or action

Councilor W. Steere asked the Solicitor if this item should be discussed in Closed Executive Session. Tim Kane, Assistant Town Solicitor, replied that it is not on the Agenda for Executive Session and suggested that discussion take place in open session. T. Kane further stated that it could be placed on a future agenda for Executive Session if warranted.

Councilor W. Steere explained that the Council feels that the Town should not have to maintain Kent Drive, as it is a private road. Councilor W. Steere stated that Factory Mutual does not agree. Councilor Burlingame stated that the problem originated when FM Global objected to the Town parking equipment on their property.

Councilor Burlingame stated that FM Global is a good neighbor and expressed hope that there is a way to resolve this matter. There was Council discussion regarding “maintaining” vs. “plowing.” Councilor Burlingame noted that the Town plows many private roads, because we always have. Councilor G. Steere agreed that FM Global is a good neighbor, taxpayer and employer. Councilor Sette stated that an agreement should be made in writing to avoid any future situations.

MOTION was made by Councilor Burlingame to AUTHORIZE Councilor Burlingame and Tim Kane, Assistant Town Solicitor to meet with representatives of Factory Mutual discuss the matter of maintenance of Kent Drive; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

X. Council Correspondence/Discussion

A. Councilor W. Steere stated that a quarterly review was received from the Budget Board and the report indicates that everything was found to be within normal parameters.

B. Councilor W. Steere stated that a request for a funding match was received from CAST (Citizens and Students Together).

- C. Councilor W. Steere stated that meeting notes were received from the latest Department Head meeting. Councilor Burlingame commented that all were present and there was positive discussion back and forth. Councilor Burlingame further stated that it was an opportunity for the new Tax Assessor to meet the other Department Heads. It was noted that the next Department Head meeting will be on Monday, December 2nd at 8:30 a.m. in Conference Room 6.
- D. Councilor W. Sette stated that a legal notice was received from Rhode Island Housing concerning the Lead-Based Paint Hazard Control Grant Program. The notice will be posted at the Town Hall.

XI. Department Head Report/Discussion Bds. & Commissions - Discussion

- A. Jason Rhodes, EMA Director, spoke regarding the flu shot clinic which was held the previous day at the High School. J. Rhodes noted that 221 vaccinations were administered, which is about five (5) times more than usual. J. Rhodes stated that there was also a great turnout of people who volunteered their time and services at the clinic. J. Rhodes stated that he was successful in obtaining the grant for the AED for the Police Station. J. Rhodes asked that a presentation to the Police Chief be on the agenda for the next Town Council meeting.
- B. Gary Treml, Director of Public Works, stated that he attended a public forum held by Resource Recovery. Regarding the life of the landfill, G. Treml stated that there are three (3) years left on Phase 5, and Phase 6, the last phase, will last 20 years. G. Treml stated that plans are now being made for how trash will be handled in the future. G. Treml stated that many options are being considered, but everyone will have to “step up to the plate” and do what needs to be done. G. Treml stated that tipping fees have not increased in 20 years, but will have to be raised soon.
- C. George Kain of the Community Resource Commission (inaudible)
- D. Anne Ejnes, School Committee chair, reported that Full-Day Kindergarten was approved by the School Committee.
- E. Councilor Sette reminded those present that a Veterans’ Day Celebration will be held at the Senior Center Monday at 11:00 a.m. Councilor Sette stated that the Director of Human Services has placed an ad in the Bargain Buyer regarding the need for Thanksgiving donations to the Food Bank. Councilor Sette urged residents to read the ad and to make a donation if possible.

XII. Open Forum

- A. Marie Sweet of Chestnut Hill Road stated that she wished to thank Linda Nichols, chair of the Community Resource Commission, for organizing the get-together of volunteers which was held the previous evening.

Regarding the lamp posts in the Village, M. Sweet suggested that a petition be signed by residents and sent to the Department of Transportation.

Regarding the vacancy on the Board of Canvassers, M. Sweet asked if a person could serve if he or she is presently on another board or commission. Tim Kane, Assistant Town Solicitor, replied that if there is no conflict, it is allowed.

B. Rose LaVoie followed up on M. Sweet's comments regarding the lighting in the Village, stating that if everyone called the Department of Transportation and asked for Gee Mariam, they might listen to us.

R. LaVoie spoke about the Kent Property and asked if anyone has sent a letter to Wells Fargo regarding the ownership status of the property. T. Kane replied that he believes that the Building Official has done so.

R. LaVoie commented about the Eagle Scout Citations, stating that it is a reflection of the leadership of the Scout program in Gloucester.

XIII. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 9:19 p.m.; seconded by Councilor Reichert.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

 NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the November 21, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **November 21, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President; George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Jean Fecteau, Town Clerk; Tim Kane, Assistant Town Solicitor; Susan Harris, Deputy Town Clerk; Joseph DelPrete, Chief of Police; Gary Treml, Director of Public Works; Raymond Goff, Town Planner; Judy Branch, Director of Human Services; and Jason Rhodes, Emergency Management Director.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum - Agenda Items

Chris Kowal, of 88 Gold Mine Road, spoke on behalf of his family and fellow residents, thanking the Town Council for administering the resources needed to make the recent safety improvements in the neighborhood of Gold Mine Road. C. Kowal noted that the road is now much safer and the drainage issues have been resolved. C. Kowal also commended Gary Treml, Director of Public Works, and his department for their professional and courteous behavior. The Council members thanked Mr. Kowal for his comments.

V. Resolution

A. Wreaths Across America (to be held November 22, 2013 @ 9:00 a.m.)

Councilor Burlingame read the following Resolution into the record:

**RESOLUTION #2013-12
WREATHS ACROSS AMERICA**

WHEREAS: Wreaths Across America began as the Arlington Wreath Project in 1992 by Morrill Worcester with the donation and laying of 5,000 Christmas wreaths at Arlington National Cemetery. Since that time, the program has grown and now includes wreath laying at hundreds of cemeteries in our country, as well as overseas, to honor our Veterans; and

WHEREAS: this program has reached out to thousands of children and young adults each year with the message of **“REMEMBER, HONOR, and TEACH”**. This message stresses the importance of honoring each fallen serviceman

and woman as an individual, with the goal of someday ensuring there is a wreath adorning every veteran's final resting place; and

WHEREAS: Ponaganset Middle School, under the direction of Social Studies Teacher, Michael Calenda, has successfully brought Wreaths Across America to the Town of Gloucester, with hard work and diligence. These young people have set an example for all our residents to follow and have laid the groundwork to ensure our Veterans are never forgotten; and

The Town Council and the Town Clerk represent all Gloucester residents when we say

WE ARE PROUD

of the spirit you bring, the example you set, and the leadership you show by educating our community of the importance in teaching and remembering that the freedoms we enjoy today as Americans came, and continue to come, at a great cost to the brave men and women who serve in the U.S. Military.

*Thank you, Ponaganset Middle School
for your dedication to your town, our Veterans and for your American spirit.*

Walter M.O. Steere, III Jean M. Fecteau, CMC, Town Clerk
Gloucester Town Council President

Dated this 22nd Day of November, 2013

seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Councilor W. Steere stated that this Resolution will be read at the Wreaths Across America ceremony tomorrow.

B. Land Acquisition Approval - Discussion and/or action
A.P. 10A Lot 8

Councilor W. Steere explained that at the Special Financial Town Meeting on Saturday, it was voted to allow the expenditure of up to \$150,000 of Capital Funds for the purpose of purchasing property for recreational uses, particularly baseball fields. Councilor W. Steere stated that the Solicitor has advised that a Resolution of the Council is now necessary.

Councilor Sette read the following Resolution into the record:

RESOLUTION 2013-13
Recreation Land Acquisition

WHEREAS, the Rhode Island Department of Environmental Management ("RIDEM") acting through the Rhode Island Resources Review Committee ("RRRC") has awarded the Town of Glocester a grant for the acquisition of Assessor's Plat 10A Lot 8 (hereinafter "Hopkins property") under which the RIDEM will reimburse up to fifty percent of the acquisition price, said grant not to exceed \$157,500.00; and

WHEREAS, the RIDEM acquisition grant is conditioned upon the Town using the property for recreational purposes and granting the RIDEM a recreation easement; and

WHEREAS, the Town is in need of recreational land for athletic fields; and

WHEREAS, based as upon the RIDEM acquisition grant and the need for athletic fields, the Town has entered into a purchase and sales agreement under which the Town will purchase the Hopkins property for the appraised price of \$150,000.00; and

WHEREAS, the Town will receive \$75,000.00 in reimbursement grant funds from the RIDEM after the closing on the Hopkins property; and

WHEREAS, the voters in Glocester, at a Special Financial Meeting, held on November 16, 2013, approved the expenditure of \$150,000 from the Capital Reserve Fund for the acquisition of the Hopkins property; and

NOW, THEREFORE, BE IT RESOLVED that the Glocester Town Council hereby authorizes the Town Council President, Walter M.O. Steere III, to take any and all action, including the execution of any and all documents necessary to effectuate said acquisition of the Hopkins property, including but not limited to a settlement statement and a recreation easement running from the Town to the RIDEM.

Walter M. O. Steere, III
President Glocester Town Council
Attest: Jean Fecteau, Town Clerk

seconded by Councilor Reichert.

Discussion: Councilor Reichert stated that he voted against this at the Financial Meeting because he feels that although the parcel is large, very little of it is usable for ball fields and parking. Councilor Reichert stated that he would like to have an engineer's advice before the purchase is finalized.

Councilor G. Steere stated that he walked the property today and is in agreement with Councilor Reichert. Councilor G. Steere stated that he has seen a sketch which shows five (5) fields and a parking area, but questions whether there is enough room. Councilor G. Steere noted that half of the usable land is pretty rough and added that a long access road would be necessary to go around the wetlands. Councilor G. Steere stated that we might be better off looking for a more suitable piece of land.

Councilor Burlingame stated that he thought there was much more high ground on the parcel. Councilor Burlingame noted that the wetlands at Gloucester Memorial Park were a problem and is worried that this may be a similar situation. Councilor Burlingame further stated that he thought that a higher percentage of voters would be in favor of the purchase, adding that of the 38 voters in attendance, 17 were opposed. Councilor Burlingame stated that the Council has the responsibility to “measure twice and cut once”.

Councilor G. Steere stated that he has been in favor of finding a piece of land all along, but after walking the property, he is not sure that this is the land.

Councilor Burlingame noted that there are other parcels out there and stated that he is not sure that this is the best option.

Councilor Sette commented that a vote was taken at a Special Town Financial meeting to move funds to effectuate a purchase. Councilor Sette asked if we have to hold another meeting in the event that we decide not to purchase this land. Tim Kane, Assistant Town Solicitor, stated that the funds would remain in Capital Reserve until the Council decides which parcel to purchase. Councilor W. Steere stated that this was for a specific property.

Jean Fecteau, Town Clerk, stated that the motion at the Financial Meeting made no mention of the specific property. T. Kane stated that the ultimate decision of whether to go through with the purchase lies with the Council. T. Kane advised the Council to table the matter until the property can be looked at more closely. T. Kane stated his opinion that the voters authorized the expenditure. Councilor Reichert expressed concern that we will spend a lot of money on engineering and will not get the number of fields that we want.

Councilor Sette stated that another grant is on the agenda which he was prepared to vote against because he feels that we should not be spending any more money with regard to land. Councilor Sette stated that the representative from the Little League did a good job stating their case at the Financial Meeting, but noted that except for the Town Council and the Board of Canvassers, there were only about 20 people in attendance.

Councilor W. Steere stated that he wished we knew about these concerns prior to the Financial Town Meeting. Councilor W. Steere stated that half of the cost will be paid by the State and added that these grants are extremely competitive and we were fortunate to get one. Councilor W. Steere expressed concern that if another parcel is chosen, it would be paid for with taxpayer money. Councilor W. Steere stated that good points have been brought up by both sides, however a decision needs to be made soon. Councilor W. Steere stated that he is ready to move forward but more information is needed regarding the property.

Councilor Sette stated that he feels that this Resolution should be tabled. T. Kane pointed out that there is a deadline. Councilor Reichert stated that we need to have an engineer look at the property. Councilor G. Steere stated that the map he had showed wetlands flagging, however he was unable to locate any when he walked the property.

Ray Goff, Town Planner, stated that a phase 1 environmental study was done, which looks for environmental hazards. R. Goff stated that a wetlands application was submitted to DEM and flagging was done. R. Goff noted that several plans were put before the Planning Board for other uses for the property.

Councilor G. Steere commented that the portion of the property toward Chepachet is fine, but the other half on the Pascoag side is rough and rocky. Councilor G. Steere expressed concern about the cost of developing the land.

Councilor W. Steere stated that there are not many parcels left to purchase in Town and stated that the Council must decide one way or another. Councilor Burlingame pointed out that we will receive \$75,000 from the State and the Little League has agreed to contribute \$12,000, leaving the Town to pick up the remaining \$63,000. Councilor Burlingame added that this would provide a piece of property for potential use in the future for very little money. Councilor Burlingame stated that we could apply for other grants for the development of the property. Councilor Burlingame noted that the parcel has more usable area than Acotes Field. Councilor Burlingame stated that he is in favor of making a decision at the next meeting.

Tim Kane stated that he thinks the deadline for the grant is December 5th, which is the date of the next Town Council meeting. R. Goff stated that the grant will be in place for a while and the deadline for the new grant is December 9th.

Councilor Reichert suggested that an engineer be hired to look at the property and advise the Town Council. Councilor W. Steere stated that he is not against that, but we must consider the time frame and the cost. Councilor Reichert replied that for approximately \$1,000, we could get a topographical report which would indicate the wetlands. It was stated that this could be paid out of the Capital Account as the voters have approved the transfer of funds.

Councilor Sette WITHDREW his motion and Councilor Reichert WITHDREW his second.

MOTION was made by Councilor Sette to TABLE any decision until the Town Council meeting of December 5, 2013, and to AUTHORIZE the expense not to exceed \$1,500 to hire an engineer to provide a report; seconded by Councilor Burlingame.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

There was Council discussion regarding who will be hired for this purpose. Councilor G. Steere noted that it would make sense to have the same person who did the original map of the property.

MOTION was made by Councilor Sette to AUTHORIZE Town staff to hire an engineer to provide engineering work at a cost not to exceed \$1,500; seconded by Councilor Reichert.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VI. Presentation:

A. A.E.D. Unit to Gloucester Police Department - Discussion and/or action

Councilor W. Steere stated that Jason Rhodes, Gloucester's Emergency Management Director, was successful at obtaining an AED unit for the Police Station through Lifespan Community Health Services & Community Training Center.

Jason Rhodes stated that Marianne Stepanian of Lifespan is in attendance to present an Automatic External Defibrillator to Joseph DelPrete, Chief of Police.

J. Rhodes stated that Gloucester is close to achieving the goal of being designated a Heart Safe Community. J. Rhodes stated that hands-only CPR is being taught to members of the community to help the emergency responders, noting that there have been two (2) successful saves within the past year.

Ms. Stepanian presented the A.E.D. to Chief DelPrete and congratulated the town for their efforts towards becoming a Heart Safe Community.

VII. Public Hearings

A. CONTINUED FROM NOVEMBER 7, 2013

Gloucester Code of Ordinance

Proposed Amendments to Zoning Map - P.U.D. - Discussion and/or action

Applicant/Owner: Julian Forgue

Address: 401 Snake Hill Road, also known as A.P. 18, Lot 10

1. Boundary/lot amendments- APPROVED 11/7/2013
2. Additional Use within the P.U.D. - Discussion and/or action
Solar Installation Facility

Councilor W. Steere stated that this Public Hearing was duly advertised and opened on November 7, 2013.

Councilor W. Steere explained that after public input and discussion, the hearing on item #2 was continued to this evening. (It was requested that the map used for the Zoning Board hearings on related matters be presented to the public).

Councilor W. Steere stated that we will now continue the public hearing.

Councilor W. Steere stated that if anyone wishes to speak, please step to the microphone and state your name and address.

Discussion: Councilor W. Steere read the following e-mail from Bernardine Hodgkinson, of 421 Snake Hill Road, into the record:

“A number of years ago, when Jay Forgue wanted to put in a development on the same land, he was told by the Town Council that he could only put ONE house on that land (the one he now lives in), AND that he was NOT to cut any more trees down. Regarding this solar facility, I would like to know whether DEM and the EPA have weighed in on this. I believe they would have to since the area he wants to destroy is well within the restricted water shed for the reservoir. As I will not be able to attend, I would appreciate these questions/issues be answered at this meeting. I am against his destroying any more trees. (Remember that old saying “keep Gloucester rural”?)

Councilor W. Steere read the following response from Ray Goff, Town Planner:

“The issue of cutting trees is not within the purview of EPA or DEM. As part of the development process there may be the need for permitting from RIDEM, but not for tree cutting. This permitting would be associated with wetlands if there are any and would occur after an approval has been achieved by the applicant. In terms of cutting of trees, this area identified for the solar field will need trees to be cut in order to install the solar field. The location of the proposed solar field is in the Scituate Watershed and does not require an approval from the Providence Water Supply board. I hope this helps.”

(End of memo)

Todd Beauregard, of Snake Hill Road, stated that he is an abutting land owner and asked what is his recourse if there is flooding on his property. T. Beauregard stated that he is not against the application, but is just looking out for his property. Tim Kane, Assistant Town Solicitor replied that Rhode Island Law states that no one is to increase drainage on somebody else’s property.

T. Kane noted that this application is still subject to Site Plan Review by the Planning Board and requires D.E.M. approval. Councilor Reichert stated that he has a solar facility which includes curtain drains to prevent runoff. Councilor G. Steere stated that it appears that the solar field will be approximately 300 feet away from Mr. Beauregard’s property.

Jay Forgue, 401 Snake Hill Road, applicant, stated that the solar facility will be at the lowest part of the property, therefore there will not be runoff toward the Beauregard’s house.

Councilor W. Steere asked again if anyone wished to be heard for or against this application, hearing none, Councilor Steere DECLARED the Public Hearing CLOSED.

MOTION was made by Councilor Burlingame to AMEND the Zoning Ordinance to allow a Solar Installation Facility in a Planned Unit Development District AP 18 Lot 10 and to ADOPT the findings of the Planning Board that the proposed amendment is consistent with the Comprehensive Plan; seconded by Councilor G. Steere.

Discussion: It was stated that the applicant will still have to go back to the Planning Board for a Site Plan Review. Councilor G. Steere stated that the issues of grading and runoff will be addressed by the Site Plan Review.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. 24-HOUR VICTUALING LICENSE RENEWAL - Discussion and/or action

1. Chepachet Deli, 842 Putnam Pike

Councilor W. Steere stated that this Public Hearing was advertised October 31st , Nov. 7st and November 14th, 2013.

Councilor W. Steere DECLARED the Public Hearing Open.

Councilor W. Steere asked if anyone wished to speak for or against the issuance of the license.

Hearing none, Councilor W. Steere DECLARED the Public Hearing Closed.

MOTION was made by Councilor Sette to GRANT the 24-hour Victualing License to: Chepachet Deli, Gregory Doura, 842 Putnam Pike contingent upon: 1) payment of all Town taxes; 2) Building/Zoning approval as needed; 3) Police and or Fire inspection and approval as needed; 4) Health Department approval; 5) Food Manager Certificate; 6) Rhode Island Permit to Make Sales; 7) copy of current menu to remain on file in Clerk's Office; this license shall be for the interior of the premise only and is valid from December 1, 2013 to November 30, 2014; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. VICTUALING LICENSE RENEWALS - Discussion and/or action

1. Aegean Pizza, 1195B Putnam Pike
2. April's on the Pike, 401 Putnam Pike
3. Burrillville/Glocester Youth Soccer Association, 1407 Putnam Pike (Concession Stand)
4. Cady's Tavern, 2168 Putnam Pike
5. Chepachet Farms, 226 Tourtellot Hill Road
6. Chester's Restaurant, 102 Putnam Pike
7. DePetrillo's Pizza & Bakery, 1153 Putnam Pike
8. Dinos Park N Shop, 1020 Putnam Pike
9. Dunkin Donuts, 1006 Putnam Pike
10. EZ Mart Convenience Store, 16 Money Hill Road

11. Gentleman Farmer, 617 Putnam Pike
12. Gloucester Little League, 1011 Putnam Pike (Concession Stand)
13. Gloucester Memorial Park, Town of Gloucester, 46 Adelaide Road (Concession Stand)
14. Harmony Corner Store, 365 Snake Hill Road
15. Knight Farm, 1 Snake Hill Road
16. Melody Hill Country Club, 55 Melody Hill Lane
17. Pinewood Pub & Pizza, 16 Terry Lane
18. Snows/Clambox, 2461 Putnam Pike
19. Tavern on Main, 1157 Putnam Pike
20. The Nutty Scotsman Bar & Grill, 812 Putnam Pike

Councilor W. Steere stated that this Public Hearing was advertised in the Observer/Valley Breeze on October 31st, November 7th and November 14th, 2013.

Councilor W. Steere Declared the Public Hearing OPEN and asked if anyone wished to be heard for or against the license renewals.

Hearing none, Councilor W. Steere Declared the Public Hearing CLOSED.

MOTION was made by Councilor Reichert to GRANT the issuance of a Victualing License to:

1. Aegean Pizza, 1195B Putnam Pike;
2. April's on the Pike, 401 Putnam Pike;
3. Burrillville/Glocester Youth Soccer Association, 1407 Putnam Pike (Concession Stand);
4. Cady's Tavern, 2168 Putnam Pike;
5. Chepachet Farms, 226 Tourtellot Hill Road;
6. Chester's Restaurant, 102 Putnam Pike;
7. DePetrillo's Pizza & Bakery, 1153 Putnam Pike;
8. Dinos Park N Shop, 1020 Putnam Pike;
9. Dunkin Donuts, 1006 Putnam Pike;
10. EZ Mart Convenience Store, 16 Money Hill Rd;
11. Gentleman Farmer, 617 Putnam Pike;
12. Gloucester Little League, 1011 Putnam Pike (Concession Stand);
13. Gloucester Memorial Park, Town of Gloucester, 46 Adelaide Road (Concession Stand);
14. Harmony Corner Store, 365 Snake Hill Road ;
15. Knight Farm, 1 Snake Hill Road;
16. Melody Hill Country Club, 55 Melody Hill Lane;
17. Pinewood Pub & Pizza, 16 Terry Lane ;
18. Snows/Clambox, 2461 Putnam Pike;
19. Tavern on Main, 1157 Putnam Pike ;
20. The Nutty Scotsman Bar & Grill, 812 Putnam Pike;

contingent upon: 1) payment of all Town taxes; 2) Building/Zoning approval as needed; 3) Police and or Fire inspection approval as needed; 4) Health Department approval; 5) Food Manager Certificate; 6) Rhode Island Permit to Make Sales; 7) copy of current menu to remain

on file in Clerk's Office; these licenses shall be for the interior of the premise only and are valid from December 1, 2013 to November 30, 2014; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

D. CLASS A - RETAILER - Discussion and/or action

1. Christy's Liquors, Inc., Kevin J. Kitson, d/b/a Christy's Liquors, 1184 Putnam Pike
2. Kitson's Liquors, Inc., Lisa Kitson, d/b/a Kitson's Liquors, 677 Putnam Pike

Councilor W. Steere stated that this Public Hearing was advertised in the Providence Journal Legal Ads on November 7th and 14th, 2013.

Councilor W. Steere DECLARED the Public Hearing OPEN and asked if anyone wished to speak regarding these license renewals.

Hearing none, Councilor W. Steere Declared the Public Hearing CLOSED.

MOTION was made by Councilor G. Steere to GRANT a Class A - Retailer Liquor License to:

1. Christy's Liquors, Inc., Kevin J. Kitson, d/b/a Christy's Liquors, 1184 Putnam Pike; and
2. Kitson's Liquors, Inc., Lisa Kitson, d/b/a Kitson's Liquors, 677 Putnam Pike;
contingent upon 1) Building/Zoning approvals as needed; 2) Fire & Police Chief approval as needed; 3) proof of Rhode Island B.C.I. check; 4) Rhode Island Certificate of Good Standing; 5) Rhode Island Permit to Make Sales; 6) payment of all Town taxes; 7) copies of certification cards for all employees with Alcohol Service Certification to be kept current in the office of Town Clerk; 8) R.I. Dept. of Health Certification; these licenses shall be for the interior of the premises only and are valid from December 1, 2013 to November 30, 2014; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

E. CLASS B -RETAILER LICENSES - Discussion and/or action

1. Chester's Restaurant, Inc., Barbara Hamill, William J. Hamill III, Ann Marie Hamill, Barbara Royer and Patricia Johnson, d/b/a Chester's Restaurant , 102 Putnam Pike
2. Melody Hill Country Club, Inc., Marion Mandeville, d/b/a Melody Hill Country Club, 55 Melody Hill Lane
3. Agios Inc., Panagiota Arsoniadis, d/b/a Gentleman Farmer, 617 Putnam Pike

4. Prickly Pear, Inc., William J. Kapanakis, d/b/a Pinewood Pub & Pizza, 16 Terry Lane
5. Tyo-Ristaino Corp., Stephen & Robin Tyo & Robert Ristaino, d/b/a Cady's Tavern, 2168 Putnam Pike
6. RMZ, LLC, Robert M. Zalewski, Daniel Saad d/b/a Snows/Clambox, 2461 Putnam Pike
7. The Nutty Scotsman Inc., Duane Lockaby, d/b/a The Nutty Scotsman Bar & Grill, 812 Putnam Pike

Councilor W. Steere stated that this Public Hearing was advertised in the Providence Journal Legal Ads on November 7th and 14th, 2013.

Councilor W. Steere DECLARED the Public Hearing OPEN and asked if anyone wished to speak regarding these license renewals.

Hearing none, Councilor W. Steere Declared the Public Hearing CLOSED.

MOTION was made by Councilor Burlingame to GRANT a Class B - Retailer Liquor License to:

1. Chester's Restaurant, Inc., Barbara Hamill, William J Hamill III, Ann Marie Hamill, Barbara Royer and Patricia Johnson, d/b/a Chester's Restaurant, 102 Putnam Pike;
2. Melody Hill Country Club, Inc., Marion Mandeville, d/b/a Melody Hill Country Club, 55 Melody Hill Lane;
3. Agios Inc., Panagiota Arsoniadis, d/b/a Gentleman Farmer, 617 Putnam Pike;
4. Prickly Pear Inc., William J Kapanakis, d/b/a Pinewood Pub & Pizza, 16 Terry Lane;
5. Tyo-Ristaino Corp., Stephen & Robin L. Tyo & Robert Ristaino, d/b/a Cady's Tavern, 2168 Putnam Pike;
6. RMZ LLC, Robert M. Zalewski, Daniel Saad d/b/a Snows/Clambox, 2461 Putnam Pike;
7. The Nutty Scotsman Inc., Duane Lockaby, d/b/a The Nutty Scotsman Bar & Grill, 812 Putnam Pike;

contingent upon: 1) Issuance of a valid Victualing License; 2) payment of all Town taxes; 3) Building/Fire Inspector/ and Police Chief approval as needed; 4) Rhode Island Certificate of Good Standing; 5) Health Department approval; 6) Food Manager Certificate; 7) Rhode Island Permit to Make Sales; 8) Current diagram of the complete service area filed in the Town Clerk's Office; 9) copies of certification cards for all employees with Alcohol Service Certification to be kept current in the office of Town Clerk; 10) copy of current menu to remain on file in Clerk's Office; 11) proof of Rhode Island B.C.I. check;

these licenses shall be for the interior of the premise only with the exception of ; 4) Prickly Pear, Inc., William J. Kapanakis, d/b/a Pinewood Pub & Pizza ; 5) Tyo-Ristaino Corp., Stephen & Robin L. Tyo and Robert Ristaino, d/b/a Cady's Tavern; 6) RMZ LLC, Robert Zalewski, Daniel Saad, d/b/a Snows/Clambox; and 7) The Nutty Scotsman Inc., Duane Lockaby, d/b/a The Nutty Scotsman Bar & Grill, 812 Putnam Pike: (additional stipulations apply);

these licenses are valid from December 1, 2013 to November 30, 2014; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

F. CLASS BT-TAVERN - Discussion and/or action

1. DLUM, LLC , David Lumnah, d/b/a Tavern on Main, 1157 Putnam Pike

Councilor W. Steere stated that this Public Hearing was advertised in the Providence Journal Legal Ads on November 7th and November 14th, 2013.

Councilor W. Steere DECLARED the Public Hearing open and asked if anyone wished to be heard regarding the license renewal.

Hearing none, Councilor W. Steere DECLARED the Public Hearing CLOSED.

MOTION was made by Councilor Sette to GRANT a Class BT-Tavern License to:

DLUM Restaurant, LLC, David Lumnah, d/b/a Tavern on Main, 1157 Putnam Pike
contingent upon: 1) Issuance of a valid Victualing License; 2) payment of all Town taxes; 3) Building Inspector/Fire/ and or Police Chief approval as needed; 4) Rhode Island Certificate of Good Standing; 5) Health Department approval; 6) Food Manager Certificate; 7) Rhode Island Permit to Make Sales; 8) maintaining an up to date diagram of the complete service area in the Town Clerk's office; 9) copies of certification cards for all employees with Alcohol Service Certification to be kept current in the office of Town Clerk; 10) updated menu maintained on file; 11) proof of Rhode Island B.C.I. check; this license shall be for the interior of the premise only and is valid from December 1, 2013 to November 30, 2014; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

G. CLASS B - LIMITED - Discussion and/or action

1. Knight Farm, LLC, Joseph Iacofano, d/b/a Knight Farm, 1 Snake Hill Road

Councilor W. Steere stated that this Public Hearing was advertised in the Providence Journal Legal Ads on November 7 and November 14 , 2013.

Councilor W. Steere DECLARED the Public Hearing open and asked if anyone wished to be heard regarding the license renewal.

Hearing none, Councilor W. Steere DECLARED the Public Hearing CLOSED.

MOTION was made by Councilor Reichert to GRANT a Class B-Limited License to:
Knight Farm, LLC, Joseph Iacofano, d/b/a Knight Farm, 1 Snake Hill Road;
contingent upon: 1) Issuance of a valid Victualing License; 2) payment of all Town taxes;
3) Building Inspector/Fire/ and or Police Chief approval as needed; 4) Rhode Island
Certificate of Good Standing; 5) Health Department approval; 6) Food Manager
Certificate; 7) Rhode Island Permit to Make Sales; 8) maintaining an up to date diagram of
the complete service area in the Town Clerk's office; 9) copies of certification cards for all
employees with Alcohol Service Certification to be kept current in the office of the Town
Clerk; 10) updated menu maintained on file; 11) proof of Rhode Island B.C.I. check;
this license shall be for the interior of the premise only and is valid from December 1, 2013
to November 30, 2014; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

H. ISSUANCE OF A NEW VICTUALING LICENSE (CORPORATE NAME CHANGE)

- Discussion and/or action

1. Sticks Tavern, 417 Putnam Pike

Councilor W. Steere stated that this Public Hearing was advertised in the Observer/Valley
Breeze on October 31st, November 7th, & 14th, 2013.

Councilor W. Steere Declared the Public Hearing OPEN and asked if anyone wished to be heard
for or against the license renewals.

Discussion: Attorney David D'Agostino, of Gorham and Gorham, appeared on behalf of the
applicant. D. D'Agostino explained that his client, Adriana Iannuzzi, is purchasing the business
from the current owner, Vincent Iannuzzi. D. D'Agostino noted that there will be no significant
change in the operation of the business, adding that his client has been managing the business for
the last year and a half.

Councilor W. Steere asked if anyone else wished to be heard. Hearing none, Councilor W. Steere
Declared the Public Hearing CLOSED.

Discussion: None.

MOTION was made by Councilor G. Steere to GRANT the issuance of a Victualing License to:
Sticks Tavern, 417 Putnam Pike: contingent upon: 1) payment of all Town taxes; 2)
Building/Zoning approval as needed; 3) Police and or Fire inspection approval as needed;
4) Health Department approval; 5) Food Manager Certificate; 6) Rhode Island Permit to
Make Sales; 7) copy of current menu to remain on file in Clerk's Office; this license shall

be for the interior of the premise only and is valid from December 1, 2013 to November 30, 2014; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

I. LIQUOR LICENSE (NEW) - Discussion and/or action

1. CLASS B - RETAILER LICENSE

CORPORATE NAME CHANGE

Adriana Enterprises, LLC, Adriana Iannuzzi, d/b/a Sticks Tavern, 417 Putnam Pike

Councilor W. Steere stated that this Public Hearing was advertised in the Providence Journal Legal Ads on November 7th, and November 14th, 2013.

Councilor W. Steere DECLARED the Public Hearing open and asked if anyone wished to be heard regarding the issuance of this license.

Hearing none, Councilor W. Steere DECLARED the Public Hearing CLOSED.

Discussion: None.

MOTION was made by Councilor Sette to GRANT a Class B-V Liquor License to:

Adriana Enterprises, LLC, Adriana Iannuzzi, d/b/a Sticks Tavern, 417 Putnam Pike, pursuant to: 1) Issuance of a valid Victualing License; 2) payment of all Town taxes; 3) Building Inspector/Fire/ and or Police Chief approval as needed; 4) Rhode Island Certificate of Good Standing; 5) Health Department approval; 6) Food Manager Certificate; 7) Rhode Island Permit to Make Sales; 8) maintaining an up to date diagram of the complete service area in the Town Clerk's office; 9) copies of certification cards for all employees with Alcohol Service Certification to be kept current in the office of Town Clerk; 10) updated menu maintained on file; 11) proof of Rhode Island B.C.I. check; **(this license shall be for the area previously approved for this location)**; and is valid from December 1, 2013 to November 30, 2014; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

- J. NEW ENTERTAINMENT LICENSE (DUE TO CORPORATE CHANGE) -
Discussion and/or action
1. Adrianna Enterprises, LLC., d/b/a Sticks Tavern, 417 Putnam Pike

Councilor W. Steere stated that this Public Hearing was advertised in the Observer/Valley Breeze on November 7, 2013.

Councilor W. Steere DECLARED the Public Hearing Open and asked if anyone wished to speak regarding the issuance of this license.

Hearing none, Councilor W. Steere DECLARED the Public Hearing CLOSED.

Discussion: None.

MOTION was made by Councilor Burlingame to GRANT an Entertainment License to: Adrian na Enterprises, LLC., d/b/a Sticks Tavern , 417 Putna m Pike, contin gent upon:
1) Payme nt of all Town taxes;
2) Buildi ng Officia l approv al as needed ; 3) Fire Inspect

or
approval as
needed
; 4)
Police
Chief
approval as
needed
; this
license
shall
be for
the
interior
of the
premises
only
and is
valid
from
December 1,
2013
to
November 30,
2014
and is
subject
to the
following
stipulations:

1. That all entertainment be confined to the inside of the building.
2. That all windows on the premises are kept closed, but not permanently, and that doors are only opened for normal ingress and egress from the premises.
3. That all live entertainment cease at 1:00 a.m.
4. When there is live entertainment, the Town Council, at its discretion, may assign a supplemental police officer or officers at such time and in such a place as the Town Council deems appropriate and the license holder shall reimburse the Town of Gloucester for the expense of such police officer(s) and to such other reasonable conditions and restrictions as the Town Council may from time to time require.

5. All entertainment shall be limited to that which is applied for in writing on the application for said Entertainment License; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

K. Entertainment Licenses - Discussion and/or Action

1. Chester's Restaurant, Inc., d/b/a Chester's Restaurant, 102 Putnam Pike
2. Prickly Pear, Inc., d/b/a Pinewood Pub & Pizza, 16 Terry Lane
3. Tyo-Ristaino Corp., d/b/a Cady's Tavern 2168 Putnam Pike
4. RMZ LLC, d/b/a Snows/Clambox, 2461 Putnam Pike
5. The Nutty Scotsman Inc., d/b/a The Nutty Scotsman Bar & Grill, 812 Putnam Pike

Councilor W. Steere stated that this Public Hearing was advertised in the Observer/Valley Breeze on November 7, 2013.

Councilor W. Steere DECLARED the Public Hearing Open and asked if anyone wished to speak regarding the license renewals.

Hearing none, Councilor W. Steere DECLARED the Public Hearing CLOSED.

Discussion: None.

MOTION was made by Councilor Reichert to GRANT an Entertainment License to:

- 1) Chester's Restaurant Inc., d/b/a Chester's, 102 Putnam Pike;
- 2) Prickly Pear, Inc., d/b/a Pinewood Pub & Pizza, 16 Terry Lane;
- 3) Tyo-Ristaino Corp. d/b/a Cady's Tavern; 2168 Putnam Pike;
- 4) RMZ, LLC, d/b/a/ Snows/Clambox; 2461 Putnam Pike;
- 5) The Nutty Scotsman Inc., d/b/a The Nutty Scotsman Bar & Grill, 812 Putnam Pike: contingent upon 1) Payment of all Town taxes; 2) Building Official approval as needed; 3) Fire Inspector approval as needed; 4) Police Chief approval as needed; these licenses shall be for the interior of the premise only and are valid from December 1, 2013 to November 30, 2014 and are subject to the following stipulations:
 1. That all entertainment be confined to the inside of the building (unless other approved uses and stipulations apply)
 2. That all windows on the premises are kept closed, but not permanently, and that doors are only opened for normal ingress and egress from the premises.
 3. That all live entertainment cease at 1:00 a.m.
 4. When there is live entertainment, the Town Council, at its discretion, may assign a supplemental police officer or officers at such time and in such a place as the Town Council deems appropriate and the license holder shall reimburse the Town of Gloucester for the expense of such police officer(s) and to such other reasonable conditions and restrictions as the Town Council may from time to time require.

5. All entertainment shall be limited to that which is applied for in writing on the application for said Entertainment License; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

L. Special Event License Request - Discussion and/or action

1. Daniel Saad, RMZ, LLC, d/b/a Snows Clambox
2461 Putnam Pike, Gloucester
Outdoor Events: April- September, 2014

Councilor W. Steere stated that this Public Hearing was advertised in the Valley Breeze/Observer on November 7, 2013.

Councilor W. Steere DECLARED the Public Hearing OPEN and asked if anyone wished to be heard regarding this request.

Discussion: Councilor W. Steere explained that this applicant is requesting: Six Car Shows, one per month, April - Sept, 2014, Weekly Cruizin night on Mondays & Wednesdays, April - Sept., 2014.

Daniel Saad, applicant, noted that the weekly event would be on Mondays OR Wednesdays, not both. Joseph DelPrete, Chief of Police, stated that the Sunday car shows are a concern due to parking on Route 44. Chief DelPrete stated that he would require a Police Detail for these events. D. Saad noted that the Monday or Wednesday cruising nights will not be like a Car Show, but a more low-key type of event.

Councilor Sette pointed out that if there are weekly events from April to September, this will be an additional 24 opportunities. Councilor Sette stated his opinion that one (1) additional event per month would be acceptable, but 24 would be excessive.

Councilor W. Steere stated that these applications depend on the location of the establishments, adding that some are in residential areas. Councilor W. Steere stated that public safety must also be considered. Councilor W. Steere expressed his opinion that the Council should listen to all of the requests this evening, and come back with some decisions at the next meeting.

Councilor W. Steere DECLARED Public Hearing Closed.

MOTION was made by Councilor Sette to TABLE a decision regarding the Special Event License Request for Daniel Saad, RMZ, LLC, d/b/a Snow Clambox until the Town Council meeting of December 5, 2013; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Adriana Iannuzzi, Adriana Enterprises, LLC, d/b/a Sticks Tavern
417 Putnam Pike, Gloucester
Outdoor Events: May- October, 2014

Councilor W. Steere stated that this Public Hearing was advertised in the Valley Breeze/Observer on November 7, 2013.

Councilor W. Steere DECLARED the Public Hearing OPEN.

Discussion: This applicant is requesting: Bike Run, Cookout for Charitable event, Fundraiser all with Three Piece Band/DJ, two days a month from May - October, 2014 not to exceed a four hour period between 1:00 - 6:00 PM, no consecutive days in the same weekend. Also volleyball competitions.

Councilor W. Steere asked if anyone wished to speak regarding the Special Event request.

David D'Agostino, attorney for the applicant, stated that his client has informed him that there were fourteen (14) events held last year. Attorney D'Agostino stated that the events requested are similar to the prior year's events, none of which created any disturbances. Councilor Burlingame stated that this request is less complicated than the previous one and recommended Council approval. Councilor W. Steere expressed concern regarding the use of a DJ, stating that amplification is always a concern at outdoor events. D. D'Agostino noted that there was a limitation on bass for prior events.

Councilor Reichert asked Joseph DelPrete, Chief of Police, if there were any complaints last year with regard to noise. Chief DelPrete replied that there were no incidents or complaints. Councilor W. Steere voiced concern regarding public safety, asking if there could be a master plan which would avoid having several events in Town on the same day. Councilor Burlingame pointed out that these events would not require Police Officers; therefore it would not strain the Police Department's resources.

Chief DelPrete stated that if there were four (4) simultaneous events on a Sunday, it would affect the Department if any incidents were to occur. Councilor Reichert asked if there would be problems with regard to volleyball tournaments. Chief DelPrete noted that there were no issues when the Nutty Scotsman had volleyball, adding that the previous problems at Snows Clambox involved pedestrian traffic and parking on Route 44.

Councilor W. Steere asked if capacity should be considered when volleyball is being played. Tim Kane, Assistant Town Solicitor, stated that he will look into it and advised the Council to

think about these requests and have a motion ready for the next meeting. Jean Fecteau, Town Clerk, stated that, in her opinion, whatever is brought to the property counts towards capacity.

Councilor G. Steere asked if the Council will table all of these requests until the next meeting. Councilor Burlingame replied that he is concerned about getting bogged down and suggested that the Council move forward on some of the requests. Councilor G. Steere commented that this request is the same as last year's and there were no problems.

Jean Fecteau, Town Clerk, reminded Council and applicants that if their request is granted, they still must fill out an application prior to each event and the Chief of Police will be notified. J. Fecteau further stated that the Council would have the authority to deny any of the events if there are any concerns. T. Kane stated that the motion should include that the approval of the Police Chief is required. There was discussion concerning how far in advance an application should be filed. There was Council consensus that it would be up to the applicant, however, if several establishments apply for events on the same day, some may be denied.

Councilor W. Steere again stated that there is no hurry to make a decision, noting that these events will not take place until next year. Councilor Burlingame replied that he would like to clear as much as possible to avoid any confusion later. Councilor W. Steere stated that he would like more details regarding the volleyball tournaments. Adriana Iannuzzi, applicant, stated that there were volleyball tournaments last year, with no incidents.

Councilor W. Steere questioned if volleyball qualifies as a "special event". J. Fecteau stated her opinion that if the tournament is advertised, it is considered a special event. J. Fecteau pointed out that at any time, the Council can stop any event which causes a problem. Tim Kane asked if the volleyball tournaments were counted in the twelve (12) events requested. There was Council consensus that the maximum total number of events would be twelve (12).

Councilor W. Steere asked if anybody else wished to be heard regarding this application. Hearing none, Councilor W. Steere DECLARED Public Hearing Closed.

MOTION was made by Councilor Burlingame to APPROVE twelve (12) Special Events for Sticks Tavern to include Bike Run, Cookout for Charitable event, Fundraiser all with Three Piece Band/DJ, two days a month from May - October, 2014 not to exceed a four hour period between 1:00 - 6:00 PM, no consecutive days in the same weekend, including volleyball competitions, subject to the approval of the Chief of Police and applications to be filed for each event; seconded by Councilor Reichert.

Discussion: Councilor W. Steere reiterated his opinion that the Council should be consistent with all of the applicants and wait until the next meeting to render a decision.

VOTE: AYES: Reichert, G. Steere, Burlingame and Sette.

NAYS: W. Steere

MOTION PASSED

3. Robin Tyo, Tyo-Ristaino Corp d/b/a Cadys Tavern

2168 Putnam Pike, Gloucester
Outdoor Events: May- October, 2014

Councilor W. Steere stated that this Public Hearing was advertised in the Valley Breeze/Observer on November 7, 2013.

Councilor W. Steere DECLARED the Public Hearing OPEN.

Discussion: Councilor W. Steere explained that this applicant is requesting: Two Car Shows/Bike Shows, Three Car/Bike Washes, One Yard Sale, One Horseshoe Tournament, One Wild West Day and One fundraiser/Benefit with outside acoustic/amplification, May - October, 2014.

Councilor W. Steere asked if anyone wished to speak regarding this request.

Councilor Burlingame asked how this number of events compares with last year. Councilor Sette replied that it is about the same. Councilor W. Steere asked for clarification regarding the "Wild West" event and the Horseshoe Tournament.

Robin Tyo, applicant, explained that she has been approached by a company who provides era-type clothing and photographs people with their motorcycles or old cars. Regarding horseshoes, R. Tyo noted that the establishment does not have activities such as pool tables or a volleyball court, and is considering installing a horseshoe area outdoors, towards the western side of the building. Jean Fecteau, Town Clerk, stated that this may require the applicant to come back to the Council regarding the service area.

Councilor Burlingame asked the applicant if this request is for the same number of events as last year. R. Tyo replied in the affirmative and noted that the yard sale did not take place last year. Councilor W. Steere asked if there was outdoor amplification during any of the previous events, stating that this is his one concern. R. Tyo replied in the negative; however she stated that there is more amplification during the indoor blues jams, due to the poor condition of the windows. J. Fecteau noted that when outdoor amplification is requested, there are limitations regarding the time of the event.

Councilor G. Steere stated that this is no different than what was requested last year and suggested that the Council approve the request. Councilor Burlingame agreed.

Councilor W. Steere asked if anyone else wished to be heard. Hearing none, Councilor W. Steere DECLARED the Public Hearing Closed.

MOTION was made by Councilor G. Steere to APPROVE ten (10) Special Events as follows: Two Car Shows/Bike Shows, Three Car/Bike Washes, One Yard Sale, One Horseshoe Tournament, One Wild West Day and Two fundraiser/Benefits with outside acoustic/amplification from 1:00 to 6: 00 p.m., May - October, 2014, subject to the approval of the Chief of Police and applications to be filed for each event; seconded by Councilor Burlingame.

Discussion: Councilor W. Steere expressed his concern regarding outside amplification due to the location of the establishment. Councilor W. Steere reiterated his opinion that the Council should wait until the next meeting to vote on all of the Special Event requests.

VOTE: AYES: Reichert, G. Steere, Burlingame and Sette.

NAYS: W. Steere

MOTION PASSED

Councilor Sette recommended that the Council revisit the application submitted by Snows/Clambox, and to consider the six (6) car shows requested.

MOTION was made by Councilor Sette to REVISIT the Special Event License Request for Daniel Saad, RMZ, LLC, d/b/a Snows Clambox; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Daniel Saad, applicant, explained that when the first car show was held, there was a much bigger turnout than had been expected. D. Saad stated that subsequent shows have been smaller and more easily controlled. D. Saad noted that the Cruizin Nights he is requesting are not like a car show, but a promotion where people could bring their antique cars and be given a discount on food. D. Saad added that it would not be a "show" and no DJ will be present. Councilor Reichert pointed out that this may not even be considered a Special Event.

Councilor Sette stated that a similar event is held weekly at A & W where as many as 40 cars participate. Councilor Sette stated that this is as large as a car show and once per week is a concern. D. Saad stated that he understands, but would like to try and if it becomes an issue, he will discontinue it. Councilor W. Steere pointed out that the application states that if this concept is successful, the applicant would like to expand it to include music, which would change the dynamic of the event. Jean Fecteau noted that the applicant would have to come back to the Council in that case.

Councilor Burlingame stated that one of the Council's responsibilities is to help businesses to succeed. It was stated that many stores and businesses offer discounts on their products. D. Saad stated that week nights are slow at the restaurant and he feels that this type of thing will improve business. D. Saad stated that if it gets out of hand, he will stop.

Councilor W. Steere stated that the Council has a responsibility to help businesses to a point, but also to the people of the Town to ensure public safety. Councilor G. Steere also stated that he is not sure if a Special Event license is needed, unless there is outdoor music.

MOTION was made by Councilor Sette to APPROVE six (6) Car Shows and six (6) other events, one (1) per month from April to September, 2014, for a total of twelve (12), for Daniel Saad, RMZ, LLC, d/b/a Snows Clambox, subject to the approval of the Chief of Police and an application to be filed for each event; seconded by Councilor G. Steere.

Discussion: Councilor W. Steere asked the Chief of Police if there have been any issues at this establishment with regard to outside amplification. Joseph DelPrete, Chief of Police, replied in the negative.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

4. Joseph Iaciovano, Knight Farm, LLC, d/b/a Knight Farm
1 Snake Hill Road, Gloucester
Outdoor Events: June- September, 2014

Councilor W. Steere stated that this Public Hearing was advertised in the Valley Breeze/Observer on November 7, 2013.

Councilor W. Steere DECLARED the Public Hearing OPEN.

Discussion: Councilor W. Steere stated that this applicant is requesting: Three Classic Car Shows, 11:00 AM - 3:00 PM, One Antique Tractor Show, 9:00 AM - 6:00 PM, June - September, 2014.

Councilor W. Steere asked if anyone wished to speak regarding this request.

Hearing none, Councilor W. Steere DECLARED the Public Hearing Closed.

Councilor W. Steere asked Chief DelPrete if there have been any problems with these shows in the past. Chief DelPrete replied in the negative.

MOTION was made by Councilor G. Steere to APPROVE the request for three Classic Car Shows, 11:00 AM - 3:00 PM, one Antique Tractor Show, 9:00 AM - 6:00 PM, June - September, 2014, for Joseph Iaciovano, Knight Farm, LLC, d/b/a Knight Farm, 1 Snake Hill Road, Gloucester, subject to the approval of the Police Chief and applications to be filed for each event; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

5. Duane Lockaby, The Nutty Scotsman Inc., d/b/a The Nutty Scotsman Bar & Grill
812 Putnam Pike, Gloucester
Outdoor Events: May- September, 2014

Councilor W. Steere stated that this Public Hearing was advertised in the Valley Breeze/Observer on November 7, 2013.

Councilor W. Steere DECLARED the Public Hearing OPEN and asked if anyone wished to be heard regarding this request.

Discussion: Councilor W. Steere stated that this applicant is requesting: Fundraisers, Public Picnic, Car Wash, Local Band Concert, Meet Santa, Car Show, Craft Show, Wrestling Exhibition, Clam Bake, Grand Opening/Open House, approximately two events per month, May - September, 2014.

Duane Lockaby, applicant, explained that when he filled out the application, he listed many different ideas, but none of them are etched in stone. D. Lockaby stated that it is unclear as to what is a special event and what is not. D. Lockaby stated that he would like to have outdoor music and will work with any restrictions placed by the Town Council. D. Lockaby stated that volleyball will continue within the confines of the fenced area, adding that he does not feel that this is a special event. D. Lockaby stated that he is considering a mini-art fair to be set up in the parking lot. D. Lockaby stated that at this type of event, parking would be available at the Adler property next door.

Councilor W. Steere inquired about the proposed Wrestling Exhibition. D. Lockaby explained that there is a bar in Smithfield which hosts a wrestling event twice a year. D. Lockaby stated that since it would be set up in the parking lot, he considers this a Special Event. There was discussion concerning occupancy limits. It was stated that the establishment has an occupancy of 129. Councilor W. Steere stated that he has reservations regarding the wrestling event, stating that it may exceed the occupancy. Councilor W. Steere further stated that, unlike the other locations, there are neighbors directly across the street.

Duane Lockaby stated that he would also like to have music festivals which would showcase local bands. Councilor W. Steere asked if this would be held inside or outside. D. Lockaby replied that he would like to have it outside with a curfew of no later than 9:00 p.m. Councilor W. Steere stated that he would like the applicant to return to the Council with more definite plans about what each event would entail. J. Fecteau invited D. Lockaby to come to the Town Clerk's Office to look at other Special Event applications which have been granted.

MOTION was made by Councilor Burlingame to CONTINUE the Public Hearing for Duane Lockaby, The Nutty Scotsman Inc., d/b/a The Nutty Scotsman Bar & Grill, 812 Putnam Pike, Gloucester, Outdoor Events: May - September, 2014 until the Town Council meeting of December 5, 2013; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VIII. Consent Items

- A. Approval of Town Council Minutes of October 31, 2013 & November 7, 2013
Discussion and/or action
- B. Finance Director's Report - Discussion and/or action
- C. Tax Assessor's Additions & Abatements - Discussion and/or action

MOTION was made by Councilor G. Steere to APPROVE the Town Council minutes of November 7th, 2013; to TABLE the Town Council minutes of October 31, 2013; to ACCEPT the Finance Director's Report for October 2013; to APPROVE the Abatement to the 2013 Tax Roll in the amount of \$405.68, and the Addition to the 2013 Tax Roll of \$1,829.40; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

IX. Unfinished Business

A. Boards & Commissions

1. Appointments - Discussion and/or action

a. Charter Review Commission (9 members)

Councilor W. Steere stated that the Clerk has given the Council a talent bank listing of the latest people to apply to be considered for the Charter Review Commission.

Discussion: Councilor W. Steere stated that nine (9) people have volunteered to serve and he recommended that the Council appoint these individuals. Linda Nichols of the Community Resource Commission, asked who would be the Council liaison to this commission. Tim Kane, Assistant Town Solicitor, replied that this would be determined by the Council.

MOTION was made by Councilor Sette to APPOINT

- 1 Jaclynn DiPietro
- 2 Walter Steere, Jr.
- 3 Linda Nichols
- 4 Brian Fernandes
- 5 David Steere
- 6 Anne Ejnes
- 7 Jason Rhodes
- 8 Douglas Folcarelli
- 9 Dennis Cipriano

to the Charter Review Commission, per Chapter 14-11 of the Home Rule Charter, for a term to run 6 months from this appointment; seconded by Councilor Reichert.

Discussion: Tim Kane asked if full-time Town employees can serve on this commission. Councilor W. Steere replied that there have been in the past. T. Kane stated that employees are prohibited from serving on Boards and Commissions, but he believes the Charter Review Commission is an exception because they only convene every five (5) years. T. Kane stated that he will research this matter. There was Council consensus to appoint the members with the Town employee (Jaclynn DiPietro) conditional upon compliance with the Town Charter.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

X. New Business

A. Code of Ordinance - Review: Article XII, Conservation Development Ordinance - Discussion and/or action

Councilor G. Steere stated that he feels that there is a flaw in this ordinance which is an injustice to the taxpayers. Councilor G. Steere stated that the Planning Board will address this matter at their next workshop.

MOTION was made by Councilor G. Steere to TABLE Code of Ordinance Review: Article XII, Conservation Development Ordinance - Discussion and/or action, until a recommendation is received from the Planning Board; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Boards and Commissions

1. Appointments

a. Historic District Commission - Discussion and/or action

1. Two members, 3 year terms to expire 11/30/2016

Councilor W. Steere stated that these appointments are for the expired terms of Charlie Wilson and David Colantonio, both of whom wish to be reappointed.

MOTION was made by Councilor Sette to REAPPOINT Charlie Wilson and David Colantonio to the Historic District Commission for a 3 year term to expire 11/30/2016; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. One Alternate member, 1 year term to expire 11/30/2014

Councilor W. Steere stated that this appointment is for the Alternate expired term of Diana Seaver, she also wishes to be reappointed.

MOTION was made by Councilor Sette to REAPPOINT Diana Seaver to the one year Alternate position of the Historic District Commission for a term to expire 11/30/2014; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

- b. Zoning Board of Review - Discussion and/or action
 1. One 5 year term to expire 11/30/2018

Councilor W. Steere stated that this appointment is for the expired term of Steven Winsor on the Zoning Board of Review. The Chair has indicated that Mr. Winsor wishes to be reappointed.

MOTION was made by Councilor G. Steere to REAPPOINT Steven Winsor to the Zoning Board of Review for one 5 year term to expire 11/30/2018; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

C. Personnel

1. Appointments

a. Gloucester Police Department - Discussion and/or action

1. One Officer (one year probation)
2. Authorization: One candidate to the R.I. Municipal Police Academy

Council has received the following memo from the Chief:

To: Honorable Town Council
From: Chief Joseph DelPrete
Date: November 15, 2013
Subject: Police Department Personnel Appointments

Dear Council Members,

I would respectfully request to make the following employment appointments to the Gloucester Police Department.

1. Appoint retired Providence Police Officer Glenn J. Cassidy of Gloucester, Rhode Island to a probationary police officer position starting on Sunday December 1, 2013. This appointment is needed to fill the recent July resignation of Officer Jeremy Gaucher. Glenn J. Cassidy was a decorated 25 year Providence Police Officer serving in both the uniform and detective division retiring at the rank of Detective Sergeant. Mr. Cassidy will be appointed to a one year probationary officer position at the starting **salary of \$45,232.69**. This probationary salary will change with any future 2013 IBPO contractual agreement.
2. Appoint Daniel J. Lefebvre of Gloucester to the Rhode Island Municipal Police Academy commencing on January 6, 2014. After successful completion of the Rhode Island Municipal Academy Daniel Lefebvre will be granted a one year probationary police officer position with the Gloucester Police Department at a **salary of \$45,232.69**.

This probationary status would also include successful completion of the Gloucester Police Department Field Training Program. His training academy salary will be **\$500.00 per week** until graduation on May 13, 2014.

Respectfully Submitted,
Joseph DelPrete
Chief of Police
(End of memo)

Discussion: Joseph DelPrete, Chief of Police, stated that he is mandated to have a second qualified candidate for the Police Academy in the event that something happens with Daniel Lefebvre. Chief DelPrete stated that he will bring this up at a Town Council meeting in December.

MOTION was made by Councilor Burlingame to Appoint Glenn J. Cassidy to a one year probationary police officer position effective December 1, 2013 at a annual rate of salary of **\$45,232.69**. This probationary salary will change with any future 2013 IBPO contractual agreement; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

MOTION was made by Councilor Sette to Appoint Daniel J. Lefebvre to a one year probationary police officer position with the Gloucester Police Department at a **salary of \$45,232.69** after successful completion of the Rhode Island Municipal Academy commencing on January 6, 2014 . Said probationary status would also include successful completion of the Gloucester Police Department Field Training Program. Daniel Lefebvre's training academy salary will be **\$500.00 per week** until graduation on May 13, 2014; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

D. Uses of Recreational Property (future and current property) - Discussion and/or action

MOTION was made by Councilor W. Steere to TABLE Uses of Recreational Property (future and current property) - Discussion and/or action until the Town Council meeting of December 5, 2013; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

E. Chepachet Village Project (D.O.T. improvements) - Discussion and/or action Resident complaint re: property damage during road work

Councilor W. Steere stated that we have a complaint from a resident regarding property damage caused by the road work in the Village. Councilor W. Steere stated that Cheryl Wright has contacted D'Ambra Construction as well as State Representative Mike Chippendale. Councilor Burlingame stated that the Council should send letters to the Department of Transportation and D'Ambra Construction on behalf of Cheryl Wright.

Councilor W. Steere stated that correspondence was sent to Director Lewis of the DOT regarding the issue with the lamp posts. Mr. Lewis agreed to meet with the Council in December. Councilor Sette recommended that the Council send another letter, by certified mail.

Cheryl Wright, of 1096 Putnam Pike, explained that when the storm drains were installed in the spring, over 46 panes of glass in her house were broken. C. Wright stated that she was instructed to send an estimate for the damage to the Department of Transportation. C. Wright stated that she did so on May 30th and also sent a copy to D'Ambra Construction. C. Wright stated that she was told by the glass company that she should replace the panes with Victorian-era glass, which would be hard to obtain and therefore very expensive.

C. Wright stated that if she was reimbursed for regular glass, she would be satisfied. C. Wright stated that in August, she was informed that her claim would be settled after the completion of the road surfacing in October. When C. Wright pursued the matter, she was told that D'Ambra Construction would pay \$750 of the claim, which was \$1,472.25. C. Wright stated that the offer has since been raised to \$1,000.

C. Wright stated that she is angry that the project disrupted lives and damaged personal property and now the company will not take responsibility. Tim Kane, Assistant Town Solicitor, stated that he will contact D'Ambra Construction to discuss this matter. Councilor Reichert stated that the construction company should be reminded that the Town allowed them to work during the day.

F. Authorization: RI DEM Open Space Recreational Grant (Large) Application - Discussion and/or action

Council has received a grant application from the Town Planner titled:

RI DEM Rhode Island Recreation Acquisition & Dev. Grant Program
Project Facility: Gloucester Memorial Park Annex Fields
Location (Street Address): Money Hill Road
Plat / Map: 10A Lot: 8

Discussion: After discussion, it was decided to table this grant application until the next Town Council meeting.

MOTION was made by Councilor Reichert to TABLE until the Town Council meeting of December 5, 2013 the Authorization of the Town Council President to sign the RI DEM Recreation Acquisition & Development Grant Program for Project Facility: Gloucester Memorial Park Annex Fields, AP 10A, Lot 8; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

XI. Council Correspondence/Discussion

- A. Councilor W. Steere stated that a letter was received from DEM regarding the America the Beautiful Tree Rhode Island 2014 Grants Program.
- B. Councilor W. Steere stated that a letter was received from Audrey Hebert requesting recognition for a young man who achieved the rank of Eagle Scout in Troop 44 in 2012.
- C. Councilor W. Steere stated that the Council has received the schedule for Planning Board and Zoning Board meetings for 2014.
- D. Councilor W. Steere stated that notification was received regarding the application for the National Endowment for the Arts grants, which range from \$25,000 to \$200,000.
- E. Councilor W. Steere stated that we received a DOH sanitary survey for the Gloucester Senior Center. Jean Fecteau, Town Clerk, stated that Public Works is handling this.
- F. Councilor W. Steere stated that a letter was received from the Department of Health regarding the Medical Emergency Distribution System (MEDS) program.

XII. Department Head Report/Discussion Bds. & Commissions - Discussion

- A. Linda Nichols, chair of the Community Resource Commission, reported that the Energy Saving Lighting Fair in October was attended by 300 people. L. Nichols stated that another event will be scheduled in May.

XIII. Open Forum

- A. Rose LaVoie thanked Jean Fecteau, Town Clerk, for organizing the Veterans' Day Program. R. LaVoie commented that the property purchased from Frank Dupointe for Gloucester Memorial Park was a swamp and cautioned the Council not to make the same mistake with the new land acquisition. R. LaVoie spoke about the defibrillator, stating that a device such as this saved the life of her son.

B. Councilor W. Steere also expressed appreciation to J. Fecteau for the Veterans' Day event, stating that the turnout seems to get bigger each year. Regarding property acquisition, Councilor W. Steere asked if any of the Towns with which we have a reciprocal agreement have an engineer on staff. Tim Kane, Assistant Town Solicitor, replied that Smithfield has a Town Engineer and the Burrillville Director of Public Works is an engineer. Councilor W. Steere wondered if either of these individuals could be utilized with regard to engineering work on land to be purchased by the Town. Councilor Reichert stated that he believes that there are stipulations in the Reciprocal Agreement regarding engineering services. T. Kane noted that the deadline to purchase the property on Money Hill Road is December 5th, which would cause a time constraint. Councilor W. Steere stated that it would not hurt to ask as it would save us a lot of money.

XIV. Seek to Convene to Executive Session Pursuant to:

1. R.I.G.L. 42-46-5 (a) (2) Collective Bargaining: Police Officers Contract & Police Dispatchers Contract) - Discussion and/or action
2. 42-46-5(a) (2) Potential Litigation - Discussion and/or action

MOTION was made by Councilor Burlingame to CONVENE to Executive Session pursuant to:

1. R.I.G.L. 42-46-5 (a)(2) Collective Bargaining: Police Officers Contract and Police Dispatchers Contract; and 2. 42-46-5 (a)(2) Potential Litigation; seconded by Councilor Reichert.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

XV. Reconvene Open Session (Disclose votes taken in Executive Session)

MOTION was made by Councilor Burlingame to SEAL the minutes of Executive Session and to disclose that no votes were taken in Executive Session; seconded by Councilor Reichert.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

NO ACTION NECESSARY

XVI. Authorization: Ratify Agreement between R.I. Laborers Dist. Council, Local Union 1322 (on behalf of the Town of Gloucester - Police Dispatchers), & the Town of Gloucester- Discussion and/or action

XVII. Adjourn

MOTION was made by Councilor Reichert to ADJOURN at 10:54 p.m.; seconded by Councilor Sette.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the December 5, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **December 5, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President; George O. (Buster) Steere; Edward C. Burlingame; and Steven A. Sette.

Also present: Jean Fecteau, Town Clerk; Tim Kane, Assistant Town Solicitor; Joseph DelPrete, Chief of Police; Gary Treml, Director of Public Works; Raymond Goff, Town Planner; Jane Steere, Interim Finance Director; and Anne Ejnes, School Committee member.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum - Agenda Items

None

V. Resolution

A. Recognition

1. Ponaganset Unified Volleyball Team
State Championship

Councilor Sette read the following Resolution:

RESOLUTION #2013-14
Ponaganset High School Unified Volleyball Team

WHEREAS: The Ponaganset Unified Volleyball Team is the 2013 Division Four State Champions; and

WHEREAS: Coaches Cheryl Etheridge and Amy Balfour led their team to this tremendous accomplishment; and

WHEREAS: Team members:
Richard Brousseau
Dave Campbell
Nate DaCosta
Harry DeCotis
Samantha DePetrillo
Todd French
Samantha Hunt
David Jutras
Katherine LaMontagne
Joe Pallazzo

LeeAnn Phillips
Jesse Piccirillo
Alex Realejo
John Sokoloski
Vanessa Tocco

worked hard to achieve this goal and proudly represent themselves, their team, their school, and their community in the Rhode Island Interscholastic League, and

Now, therefore, be it resolved that the Gloucester Town Council and the Town Clerk, on behalf of all Gloucester residents, express our sincerest congratulations to the 2013 Ponaganset High School Unified Volleyball Team.

Thank you for being a shining example of “Ponaganset Pride”

Walter M.O. Steere, III Jean M. Fecteau, CMC, Town Clerk
Gloucester Town Council President

Dated this 5th Day of December, 2013

seconded by Councilor G. Steere.

Discussion: Councilor W. Steere presented the Resolution to the coaches and congratulated them for their accomplishment. Dr. Michael Barnes, Superintendent, also congratulated the team and thanked the Council for the recognition.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VI. Public Hearings

A. CONTINUATION

Special Event License Request - Discussion and/or action

1. Duane Lockaby, The Nutty Scotsman Inc., d/b/a The Nutty Scotsman Bar & Grill
812 Putnam Pike, Gloucester
Outdoor Events: May- September, 2014

Jean Fecteau, Town Clerk, stated that the applicant is still attempting to address licensing issues and has asked that the Council continue this request until January.

MOTION was made by Councilor Burlingame to CONTINUE the Special Event License Request for applicant: Duane Lockaby, The Nutty Scotsman Bar & Grill to the January 2nd, 2014 Council meeting; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Gloucester Code of Ordinance
1. Proposed Addition
Article VII. Special Regulations
Chapter 350-46 Solar Facilities

Councilor W. Steere stated that this Public Hearing was advertised in the Observer on November 18th, 25th, & December 2, 2013.

Councilor W. Steere DECLARED the Public Hearing OPEN and read the following Planning Board opinion on this proposed addition to the Code of Ordinance:

MOTION was made by Vice-Chairman Calderara for a positive recommendation to the Gloucester Town Council for the proposed Zoning amendments identified as "Proposed Solar Facilities Ordinance", as amended.

The purpose of the ordinance is to create standards for locating design, construction, operating, modification, and removal of such installations that address the public safety and minimize the impact of the facilities on neighboring properties.

The Board finds that the ordinance, as submitted, is consistent with the Gloucester Comprehensive Community Plan:

Section 4.3.3 "To consider the special physical, social or economic needs of citizens when adopting housing design, density or locational regulatory provisions;"

Section 5.2.1 "Allow for future economic development to occur that does not conflict with or degrades the desirable attributes of the Town and that help sustain the Gloucester Vision by allowing economic sustainability;"

Section 5.2.3 "Broaden and diversify the Town's economic base to reduce the residential sector's property tax burden;"

Section 5.2.4 "Encourage efforts that use the natural features of Gloucester as an inducement to foster economic activity and growth."

The Board finds that the installation of solar facilities can be an attribute to the community and, with proper installation, provide energy without the negative stigma of other more visible energy producing systems.

MOTION was seconded by Member DeGrange.

DISCUSSION: Member Furney said she doesn't think the CCP Plan Section 4.3.3 applies here because it deals with housing.

Vice-Chairman Calderara **amended the motion** to delete the reference to Section 4.3.3. Member DeGrange **seconded the amendment**.

VOTE: Ayes- Unanimous (Charette, Calderara, Furney, DeGrange, Pitocco, Gross)
(end of motion)

Councilor W. Steere asked if anyone wished to speak for or against the proposed addition.

Linda Nichols, taxpayer and chair of the Community Resource/Wastewater Advisory Commission, stated her opinion that the Ordinance is too basic and does not address solar easements as State Law does. L. Nichols stated that she has reservations regarding treating residential units the same as large installations. L. Nichols stated that the proposed addition to the code does not mention the need for a building permit nor does it state how removal will be enforced. L. Nichols further stated that the public should be educated regarding solar facilities. L. Nichols recommended that the Ordinance be reviewed further before passage.

Councilor Reichert spoke about hydro power, stating that it would affect more people and create more problems than solar panels, which consist of a cement block and a piece of mirror. L. Nichols commented that the Resource Commission has worked a long time on hydro power. Councilor W. Steere interjected that the Council is talking about solar this evening, not dams or hydro power. L. Nichols again voiced her opinion that more awareness is needed because the Ordinance is too basic and is being pushed through too quickly.

Councilor Reichert stated that Linda Nichols felt that his solar project should have gone through her Commission. L. Nichols disagreed and stated that she is not here to argue but to express her opinion. Councilor Burlingame stated that L. Nichols may want to consider that the market conditions will control the size of the fields and dictate that the facilities will be installed on large parcels of land. Councilor Burlingame stated that the solar panel fields will not be placed on one-acre lots. L. Nichols stated that it needs to be defined more in the Ordinance. Councilor G. Steere stated that it is clearly defined.

Linda Nichols asked who prepared the Ordinance. Councilor W. Steere replied that the Town Planner drafted the document. L. Nichols asked Ray Goff, Town Planner, what expertise he has to write such an Ordinance. Councilor W. Steere told L. Nichols to direct any questions to the Council. L. Nichols again expressed her opinion that we need more time to go over this Ordinance.

Ray Goff, Town Planner, stated that he has held that position for the last fifteen years and possesses a Master's Degree in Planning. R. Goff further stated that he has written dozens of Ordinances, has reviewed and written Comprehensive Plans, has testified before Planning Boards and Zoning Boards, and is more than qualified to write an Ordinance for the Town of Gloucester. R. Goff stated that he researched fifteen or so ordinances from other communities and together with the Planning Board, determined what would fit for Gloucester.

R. Goff noted that the Planning Board held a series of workshops over several months to discuss the matter. R. Goff stated that the final draft is a simplified Ordinance without many restrictions or encumbrances, which is what the Board was trying to accomplish. R. Goff explained that the Planning Board's philosophy is to encourage green energy with facilities which do not adversely impact the community. R. Goff pointed out that applications must be approved by the Zoning Board, which is an expense to the applicant and will limit the number of facilities installed in Town. R. Goff stated that the intent of the Ordinance is to avoid land use issues.

R. Goff stated that while the Ordinance may seem too simple to some people, it will get us moving in the right direction. Councilor Sette asked what somebody would have to do right now to install a solar facility. R. Goff replied that a variance would be required because it is not currently allowed under Zoning. R. Goff noted that what is not included in the proposed Ordinance is solar panels on residential homes.

Russell Gross, Planning Board member, stated that the Board worked on this Ordinance for at least six (6) months and to his recollection, not one person ever provided any input.

Roy Anderton, 688 Chestnut Hill Road, stated that he feels that easements should be addressed and is concerned about interconnect problems between large solar installations and National Grid. R. Anderton further expressed concern regarding property tax credit for property owners with solar facilities, asking how this will affect State aid.

Ray Goff replied that of Mr. Anderton's three (3) concerns, the only one which pertains to the Ordinance is the setbacks. R. Goff explained that there are setbacks of 75, 50 and 100 feet, front, side and rear, in place. Regarding National Grid, R. Goff stated that they design their own facilities and we have no control over that.

Linda Nichols reiterated her opinion that this addition to the Ordinance should be on hold pending further review. L. Nichols stated that she is in favor of green energy, but wants it to be done properly. L. Nichols suggested that the Town Planner could work with the Community Resource Commission.

Councilor G. Steere stated that he attended several of the Planning Board meetings at which this subject was discussed and stated that perhaps L. Nichols should have done the same. L. Nichols replied that she was unaware of when the meetings took place. Councilor G. Steere noted that the Planning Board put a lot of thought into the Ordinance, adding that the idea was to keep it simple and not make it cumbersome. Councilor G. Steere stated that Rhode Island is way behind and pointed out that solar panels can be seen in every other state.

Councilor Sette concurred and stated that he often travels in Massachusetts, where he sees many solar farms, especially in rural areas. Regarding PILOT agreements, Councilor Sette stated that he would be against this, as the solar facilities are commercial enterprises. Councilor G. Steere stated that this does not need to be part of the Ordinance. Councilor Burlingame agreed, stating that the Tax Assessor is working on how these facilities would be assessed for taxes. Councilor Burlingame stated that the Ordinance does address specific things with regard to setbacks, encroachments, etc., and in his opinion, the basics have been covered. Councilor Burlingame stated that the Planning Board and the Town Planner have met the objectives and he supports the Ordinance.

Councilor W. Steere asked if anyone else wished to be heard. Hearing none, Councilor W. Steere CLOSED the Public Hearing.

MOTION was made by Councilor Reichert to AMEND the Gloucester Code of Ordinance, with the addition of Article VII. Special Regulations, Chapter 350-46 Solar Facilities; seconded by Councilor Burlingame.

Discussion: Councilor W. Steere stated that his only concern was regarding taxation, adding that he is not in favor of PILOT agreements for solar facilities. Councilor Burlingame stated that this issue will come up for discussion at a later time.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VII. Consent Items

- A. Approval of Town Council Minutes of October 31, 2013 & Nov. 21, 2013- Discussion and/or action

MOTION was made by Councilor Sette to APPROVE the Town Council minutes of October 31st & November 21st, 2013; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VIII. Unfinished Business

- A. Land Acquisition

1. (Resolution) Approval - Discussion and/or action
A.P. 10A Lot 8

Councilor W. Steere stated that the adoption of this resolution was tabled on November 21, 2013 to allow the Town Planner to work with an engineer to determine if this parcel would be appropriate for the Town's needs.

Discussion: Ray Goff, Town Planner, explained that the search for property began when the Little League was informed by the Chepachet Cemetery Association that at some point, the fields at Acotes would no longer be available for use. R. Goff stated that he began working on a grant for this purpose and located an appropriate parcel for new baseball fields. R. Goff noted that the grant was approved, but the property fell into foreclosure and the deal fell through. R. Goff stated that another parcel which met the grant criteria was available on Route 100 and he proceeded to move forward, along with the Recreation Director and Little League president.

R. Goff noted that the parcel consists of 23 acres, with 5 acres of usable land for the baseball fields. R. Goff stated that the remaining portion contains wetlands, but could be used for walking trails. R. Goff stated that the cost to develop this parcel would be higher, due to trees, stumps and boulders. R. Goff stated that the Council had questioned whether the fields would fit on the property, to which R. Goff replied that a plan has been drawn up which shows five (5) fields. R. Goff stated his opinion that the property could work for the town as it meets the criteria which has been set.

Councilor G. Steere agreed with R. Goff's assessment and stated that the first property on Adelaide Road was level and development costs would have been a quarter of that of the property on Route 100. Councilor G. Steere commented that the Town Planner did his job in finding property to replace what we now have at Acotes; however, Councilor G. Steere expressed his opinion that he does not feel that this is the right property to go forward with, due to the cost of development.

Councilor Reichert agreed with Councilor G. Steere, stating that there would be a very small parking area. Councilor Reichert further stated that the land is wet and he does not want the Council's legacy to be that they purchased a swamp. Councilor Burlingame stated that this happened in the past and it was a nightmare to fix. Councilor Burlingame commented that he

does not want to leave a mess for the next Town Council and does not agree with purchasing this property.

Councilor G. Steere stated that the Planner did a lot of work to research the property and to transfer the grant from the first property to this one, but feels that the Town could acquire a more suitable parcel for the baseball fields. Councilor G. Steere stated that he would hate to lose the grant and all of the Planner's work, but he feels that this would be the wrong decision.

Councilor W. Steere commended the Planner for his efforts, but wondered if this property could handle any further expansion in the future and expressed concern regarding the development costs. Councilor W. Steere stated that a lot of people did a lot of work to get to this point, but asked if this is the best we can do for our money.

Councilor W. Steere asked Tim Kane, Assistant Town Solicitor, what our legal liability would be. T. Kane replied that the Town would lose a \$5,000 deposit. T. Kane stated that if there is Council consensus that they are no longer interested in purchasing the property, the Solicitor will notify the seller's attorney.

Councilor Sette suggested asking the Land Trust for assistance in locating property which could be used for both active and passive recreation. Councilor Sette expressed the importance of finding the right piece of property. Councilor W. Steere agreed, stating that there are only so many parcels left that would fit the needs we are looking for. Councilor W. Steere acknowledged the owners of the property and stated that their patience is appreciated.

Councilor G. Steere stated that he does not take the loss of the \$5,000 deposit lightly, but he feels that this is what we have to do.

Councilor W. Steere noted that it is a time-sensitive issue as we will not be able to use the current facilities much longer. Councilor Burlingame noted that if we work with the Land Trust, we could possibly include a bond referendum on the next ballot to allocate funds for the purchase. Councilor W. Steere stated that another option would be to use funds from the Capital Budget.

Anne Ejnes mentioned the property adjacent to West Gloucester Elementary School that the Council recently purchased and stated that if there is land available next to one of the schools, it may be feasible because there is ample parking.

Russell Gross, Land Trust member, stated that the Land Trust would be happy to work together with the Council on this matter and suggested that it be placed on the agenda for discussion at the next Land Trust meeting.

MOTION was made by Councilor Burlingame to not go forward with the purchase of the Hopkins property and to authorize the Town Solicitor to inform the seller's attorney, with the understanding that under the agreement, the \$5,000 deposit will be forfeited; seconded by Councilor Reichert.

Discussion: Councilor W. Steere asked what happens to the money which was moved by a vote at the Special Financial Town meeting. Tim Kane, Assistant Town Solicitor, replied that it will remain in Capital Reserve.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

2. Authorization: RI DEM Open Space Recreational Grant (Large) Application - Discussion and/or action

Councilor W. Steere stated that the authorization of this grant application was also tabled at the last meeting.

Discussion: It was stated that as a result of the previous vote, this item should be removed from the table.

MOTION was made by Councilor Sette to REMOVE from the table the Authorization: RI DEM Open Space Recreational Grant (Large) Application; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

3. Recreational Property (future and current property) - Discussion and/or action

Councilor Sette stated that he will attend the Land Trust meeting next week and will report back to the Town Council at their meeting on December 19th.

IX. New Business

A. Boards and Commissions

1. Appointments

a. Board of Canvassers

One unexpired six year term to expire 3/2016

Councilor W. Steere stated that this item was continued until a qualified candidate could be found. The recommendation from the Gloucester Democratic Party Chair, Patrick Carroll, is David Calderara.

Discussion: None.

MOTION was made by Councilor Sette to APPOINT David Calderara to the Gloucester Board of Canvassers for the unexpired six year term to expire 3/2016; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

- b. Budget Board
Three expired three year terms to expire 1/2017

Councilor W. Steere stated that these appointments come due in January. Councilor W. Steere noted that one of the members (Judy Colaluca) has stated she does not wish to be reappointed; therefore the Clerk has put this item on now so a replacement can be found as soon as possible. The other two members (Kevin LaVoie and Michael Morgan) wish to be reappointed.

Councilor W. Steere stated that the Council has received a talent bank listing for Judy's position.

Discussion: Councilor W. Steere stated that Budget season will begin soon so the Council should contact the person who submitted the talent bank application.

MOTION was made by Councilor Burlingame to REAPPOINT Kevin Lavoie & Michael Morgan to the Budget Board for three year terms to expire 1/2017; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

MOTION was made by Councilor Burlingame to TABLE until the meeting of December 19th the appointment of the 3rd position on the Budget Board for one three year term to expire 1/2017; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

- B. D.O.T. Chepachet Village Project (D.O.T. improvements) Topics of discussion with D.O.T. Administration - Discussion and/or action

Councilor W. Steere stated that he, Councilor Sette, Ray Goff (and possibly Representative Chippendale and Senator Fogarty) will meet with Director Lewis of the D.O.T. next week to discuss issues relating to the Chepachet Village Project.

Discussion: Councilor W. Steere stated that the lights are on tonight along Main Street and commented that it looks very nice. However, Councilor W. Steere stated that there are still some issues which need to be addressed with the Department of Transportation. Councilor W. Steere stated that one concern is the distance from the road at which the lamp posts are placed, and whose responsibility it is if they are damaged due to their proximity to the road. Councilor W. Steere noted that the posts in Smithfield and Scituate were placed further from the curb.

Councilor Burlingame stated that he was present when one of the lights was being replaced and asked the installer why the posts were positioned so close to the road. Councilor Burlingame

stated that the installer had also questioned the position of the posts and was told that this is how it was designed. Councilor Burlingame stated that relocating the posts would entail ripping up the sidewalks because of how the conduit is laid. Councilor Burlingame asked if our insurance would cover the replacement of damaged lights if we assume responsibility of the lights.

Councilor G. Steere stated that he spoke to Director Lewis this week regarding the positioning of the lamp posts and was told that the national standard is 18 inches from the curb to the center of the post. Councilor G. Steere asked Director Lewis why it was not like this in Greenville or Scituate, but he did not reply. Director Lewis stated that if a State snow plow damages a post, the State will repair it and if a private vendor causes damage, their insurance will cover the cost.

Councilor G. Steere commented that it will be difficult to determine who causes damage during a snowstorm. Director Lewis stated that he felt our concerns are not valid. Councilor G. Steere expressed his opinion that there is not much hope of having the posts moved, but perhaps with the help of Senator Fogarty and Representative Chippendale, there will be some progress made at the meeting.

C. Candlelight Shopping Police Detail - Discussion and/or action

Councilor W. Steere stated that last year the Town Council authorized the Town paying one of the three police details during Candlelight Shopping. Councilor W. Steere noted that the Police Department and the Gloucester Business Association are each covering one of the details and asked the Council members if they wished to pay for the remaining detail.

Discussion: It was stated that the Police detail comes to \$168.00. Councilor G. Steere noted that there is no money left in the Council Contingency Fund, but suggested that the Council members each contribute a portion. Joseph DelPrete, Chief of Police, stated that if it is a problem, his Department will cover an additional detail. Councilor Burlingame stated that the cost could be put in the General Budget under "Unplanned Expense" and reconciled at the end of the year.

MOTION was made by Councilor Sette to Authorize the expenditure of Town funds for the payment of a police detail of \$168.00 for one night of candlelight shopping, December, 2013; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

D. Authorization: Assignment of Fund Balances - FY 2013 - Discussion and/or action

Councilor W. Steere explained that this process pertains to GASB 54 in accordance with our Fund Balance policy (approved by the Council) the Council will have to assign portions of the ending fund balance. Councilor W. Steere state it is suggested that the Council give the Finance Director and the Council president the authority to adjust some of the numbers to ensure that we do not fall outside the cap.

Discussion: Councilor Burlingame stated that he reviewed the assignments and all are in order.

MOTION was made by Councilor Burlingame to “Assign” the following portions of the General Fund balance at fiscal year end June 30, 2013 for the purposes specified:

\$ 1,508	Tree planting
\$226,352	Healthcare reserve
\$324,717	Other Post Employment Benefits [OPEB]
\$40,482	Police equipment maintenance
\$21,859	Senior Center dues
\$80,943	Radio contracts
\$39,263	Computer systems maintenance
\$28,770	Comprehensive Plan
\$267,938	Revaluation reserve
\$608,365	Storm fund
\$360,308	Accrued Comp Absences
\$50,000	Matching Grants
\$104,244	Foster-Glocester Regional Schools - student pro ration

and to AUTHORIZE the Finance Director and Council President to make adjustments as necessary to comply with our required surplus; seconded by Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

E. Personnel

1. Appointments

a. Tax Assessor

Two year term expires 12/31/15

Councilor W. Steere stated per Rhode Island Public Law this position has an appointment every two years, as all Department Heads, but in the odd number years.

MOTION was made by Councilor G. Steere to APPOINT Jennifer Mooney to the position of Tax Assessor for a two year term to expire 12/31/2015; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Finance Director search plan - Discussion and/or action

Councilor W. Steere stated that the Council has received a number of applications and asked how the Council wished to proceed. Councilor Sette stated that he feels that a similar process which was followed for the Tax Assessor position might be in order. Councilor Sette stated that he has looked at the applications and feels that there are some very good candidates for the position. Councilor Sette suggested that a small group review the applications and bring forward candidates for the Council to interview. Councilor W. Steere agreed that there are good qualified

candidates who have applied. Councilor Sette commented that some may be looking for more money than the position offers, but there are others who would fit our criteria well.

MOTION was made by Councilor Sette to establish a Finance Director Screening Committee which will consist of Councilors Sette and Burlingame, Jane Steere, Interim Finance Director, Jean Fecteau, Town Clerk, and Anne Ejnes, School Committee member; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.

NAYS: 0

MOTION PASSED

F. Transfer Station - Planning for future - Discussion and/or action

Councilor G. Steere stated that this was brought up by Gary Treml, Director of Public Works, at the recent Department Head meeting. Councilor G. Steere noted that there seems to be two (2) major issues: people are throwing recyclables in with their trash- there has been discussion regarding instituting a “pay as you throw” program to cut down on this problem.

Councilor G. Steere stated that if people have to pay for trash bags, they will dispose of their recyclables properly for free. Councilor G. Steere stated that the second part of the problem is that now that we have gone to single-stream recycling, people are throwing trash in with recyclables, which contaminates the entire load. Councilor G. Steere stated that some communities have somebody policing the facility to prevent this from occurring.

Gary Treml, Director of Public Works, reported that recycling is down to 29.7 percent. G. Treml further stated that tipping fees are going to go up and we must position ourselves before that happens.

Councilor Sette stated that several years ago, we were taking in more tires and white goods than the city of Providence. Councilor Sette noted that different methods were used to stop this, such as requiring tags to dispose of these items and occasionally having a Police Officer present to turn away non-residents. There was discussion regarding options such as “no bin, no bag” and random checks.

Councilor W. Steere stated that if somebody is there to give a gentle reminder, people’s behavior will change over time. Councilor W. Steere commented that whatever we decide to do, we must plan for the future now.

Councilor W. Steere asked if we decide to close the Transfer Station one more day per week, is there any way to track which day has the least activity. G. Treml replied that it is very random, for instance if it rains on a Tuesday, more people will go on Wednesday. G. Treml pointed out that he would still have to cover the Transfer Station on Tuesdays because the regular employee has Mondays and Tuesdays off.

G. Treml stated that across the State, the average number of hours that a Transfer Station is open is 28 hours per week; even if we close an extra day, Gloucester will still be open 40 hours per

week. Councilor G. Steere noted that there are no charges to use the Transfer Station, unlike many other communities. There was Council consensus that more discussion is needed to make long-term plans for the Transfer Station. Councilor G. Steere also stated that any changes should be implemented when the new compactors are installed in the Spring. Councilors G. Steere and Reichert offered to tour other facilities with G. Treml.

X. Council Correspondence/Discussion

- A. Councilor W. Steere stated that a letter was received from Lifespan regarding Gloucester's efforts to become a "Heart Safe Community".
- B. Councilor W. Steere reminded residents that Candlelight Shopping will take place on the next two Thursday evenings. Councilor W. Steere noted that the first Candlelight Shopping event, which is taking place tonight, appears to be well-attended.

XI. Department Head Report/Discussion Bds. & Commissions - Discussion

- A. Jean Fecteau, Town Clerk, stated that she would like to schedule the first meeting of the Charter Review Commission so they may organize and be given their charge. J. Fecteau stated that when the Council appointed the members, there was a question regarding whether a Town employee can serve on this board. T. Kane, Assistant Town Solicitor, stated that there is no outright prohibition. It was stated that the appointment of one of the members was conditional upon this issue. There was Council consensus to go ahead with the appointment.
- B. Ray Goff, Town Planner, stated that due to the Council's decision not to purchase the property on Money Hill Road, he will notify the Department of Environmental Management that the grant will be returned.
- C. Joseph DelPrete, Chief of Police, stated that he has advertised for a full-time dispatcher to replace Daniel Lefebvre, whom the Council appointed to enter the Police Academy. Chief DelPrete reported that 45 applications were received and the interview process will begin next week.

Chief DelPrete stated that two (2) officers were sent for extensive training on ALICE, which is an acronym for Alert Lockdown Inform Counter Evacuate. Chief DelPrete stated that the Department continues to work with the schools to enhance their safety plan in the event of an active shooter.

XII. Open Forum

None.

XIII. Seek to Convene to Executive Session Pursuant to:

- 1. R.I.G.L. 42-46-5 (a) (2) Collective Bargaining: Police Officers Contract- Discussion and/or action

MOTION was made by Councilor G. Steere to CONVENE to Executive Session Pursuant to: R.I.G.L. 42-46-5(a)(2) Collective Bargaining: Police Officers Contract-Discussion and/or action; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

XIV. Reconvene Open Session (Disclose votes taken in Executive Session)

MOTION was made by Councilor Burlingame to SEAL the minutes of Closed Executive Session and to disclose that no votes were taken; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

XV. Adjourn

MOTION was made by Councilor Reichert to ADJOURN at 10:12 p.m.; seconded by Councilor G. Steere.

VOTE: AYES: W. Steere, Reichert, G. Steere, Burlingame and Sette.
NAYS: 0
MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the December 19, 2013 Town Council Meeting.

At a meeting of the Town Council holden in and
for the Town of Gloucester on **December 19, 2013**

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; William E. Reichert, Vice-President; Edward C. Burlingame; and Steven A. Sette.

Member Absent: George O. (Buster) Steere

Also present: Jean Fecteau, Town Clerk; Tim Kane, Assistant Town Solicitor; Susan Harris, Deputy Town Clerk; Joseph DelPrete, Chief of Police; Gary Treml, Director of Public Works; Raymond Goff, Town Planner; Jane Steere, Interim Finance Director; and Walter Steere, Jr., School Committee member.

III. Pledge of Allegiance

The Pledge of Allegiance was led by Boy Scout Troop 44.

IV. Open Forum - Agenda Items

Chris Hebert, Scoutmaster, thanked the Council for allowing his troop to lead the Pledge of Allegiance. C. Hebert explained that the Boy Scouts are here tonight to observe the meeting in order to earn a merit badge for Citizenship in the Community.

C. Hebert noted that the Scouts are interested in the issue concerning the light posts as well as the acquisition of property to be used for Little League fields.

V. Consent Items

- A. Approval of Town Council Minutes of December 5, 2013 - Discussion and/or action
- B. Tax Assessor's Additions & Abatements- Discussion and/or action
- C. Finance Director's Report- Discussion and/or action

MOTION was made by Councilor Reichert to APPROVE the Town Council minutes of December 5, 2013; to APPROVE the Tax Assessors Additions to the 2013 Tax Roll in the amount of \$988.29, (no Abatements for November, 2013) and to ACCEPT the Acting Finance Director's Report for November, 2013; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VI. Unfinished Business

A. Appointments

1. Boards and Commissions - Discussion and/or action

a. Budget Board

One expired three year terms to expire 1/2017

Councilors Sette and Burlingame stated that they may have candidates by the next Town Council meeting. Councilor W. Steere commented that it is important to make these appointments in January as the Budget season will begin soon.

MOTION was made by Councilor Sette to TABLE the appointment to the Budget Board for one expired three year term to expire 1/2017; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VII. New Business

A. Gloucester Licensing Board

1. Liquor License Show Cause Hearing - Discussion and/or action

CLASS B - RETAILER LICENSE

Adriana Enterprises, LLC, Adriana Iannuzzi, d/b/a Sticks Tavern,
417 Putnam Pike

Councilor W. Steere explained that the Town Council, acting as the Town Licensing Board, has been informed that Sticks Tavern has not been issued their Liquor License. Councilor W. Steere stated this license was granted after a public hearing in November, but Sticks has not received state approval as of the time of setting of this agenda, therefore, the license remains granted but not issued.

Discussion: Tim Kane, Assistant Town Solicitor, stated that the owner of the establishment has had a problem getting a Letter of Good Standing from the Division of Taxation. T. Kane stated his recommendation is that if the certificate is not received by close of business tomorrow, they are not allowed to operate until it is delivered to the Town Clerk.

Councilor Burlingame asked what has caused the delay. T. Kane replied that instead of transferring the license, the owners chose to allow the existing license to expire and to subsequently apply for a new license.

MOTION was made by Councilor Sette that the Town take no action to revoke the Liquor License for Sticks Tavern a/k/a/ Adriana Enterprises, LLC, provided that a Letter of Good Standing is received by the Town Clerk by 5:00 p.m. on December 20, 2013; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, Burlingame and Sette.

NAYS: 0

MOTION PASSED

B. Gloucester Home Repair

1. Housing Specialist Appointment - Discussion and/or action

Council has received a request from the Planner regarding the Gloucester Home Repair Program:

To: Gloucester Town Council, Walter Steere President

From: Ray Goff, Town Planner

Re: Gloucester Home Repair Program - Recommendation for Housing Specialist

Date: December 11, 2013

I am recommending to the Town Council that David Fecteau be hired as the Housing Specialist for the Gloucester Home Repair Program. Dave has been the Housing Specialist for the Western Rhode Island Home Repair Program for many years. He is familiar with the program requirements and procedures and the governing Federal and State statutes.

The Housing Specialist works directly for the program and provides the oversight and expertise needed on each project. It is necessary to visit each job prior to funding, identify needs and safety issues where CDBG funding can be spent. A report is written by this person and specifications are written up for the necessary work. When the job is underway, the Housing Specialist is available to the contractor for technical questions and provides guidance to ensure the expectations of the homeowner and the program are being met.

During and when the job is completed, the Housing Specialist inspects the job and identifies any deficiencies in the work or areas that would not be in compliance with the program requirements. When the job is done and inspected, a completion report is prepared by the Housing Specialist and submitted to be placed in the job file.

I am asking that Dave be hired for this position in an effort to ensure the program runs efficiently and as effectively as it can. He has the experience and knowledge to ensure that we move forward with as few issues as possible.

The Housing Specialist would be paid by inspection similar to the Town mechanical, plumbing and electrical inspectors. I have enclosed an example of two typical jobs to show how and when inspections/fees will be paid.

(End of memo)

Discussion: None.

MOTION was made by Councilor Burlingame to APPOINT David Fecteau to the position of Housing Specialist for the Gloucester Home Repair Program; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, Burlingame and Sette.

NAYS: 0

MOTION PASSED

- C. Authorization: Community Development Block Grant Contract
Contract #13/13/27 Office of Community Development & Town of Gloucester
Discussion and/or action

Councilor W. Steere stated that the Council has received a request from Ray Goff to authorize the Town Council President to sign the contracts for 2013 for the Community Development Block Grant.

Ray Goff, Town Planner, explained that this is standard practice, stating that the contract is what we had asked for and contains nothing unusual.

MOTION was made by Councilor Sette to AUTHORIZE the Town Council President to sign C.D.B.G. Contract #13/13/27 between the R.I. Office of Community Development and the Town of Gloucester; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, Burlingame and Sette.

NAYS: 0

MOTION PASSED

- D. Gloucester Police Department
Ratification of Promotion - Discussion and/or action

Councilor W. Steere read the following memo from the Chief of Police:

To: The Honorable Town Council
From: Joseph DelPrete, Chief of Police
Date: December 12, 2013
Subj: Sergeant Promotion

I would respectfully request to promote Patrolman Brian D'Amato to the rank of Sergeant on the Gloucester Police Department. This promotion will fill the Sergeant vacancy left by the resignation of Sergeant Entwistle on September 30, 2013.

I would request that this promotion and payroll classification change become effective on Sunday December 15th, 2013. Sergeant D'Amato will be assigned Badge 105.

Respectfully Submitted,
Joseph DelPrete
(end of memo)

Discussion: It was stated that Sgt. Entwistle's resignation is a resignation in position, not a resignation from the Police Force.

MOTION was made by Councilor Reichert to RATIFY the promotion of Patrolman Brian D'Amato to the position of Sergeant, effective December 15, 2013; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Councilor Burlingame mentioned that Jeremy Gaucher, a former Gloucester Police Officer, graduated from the State Police Academy with a rank of 7th out of 36.

E. Appointments - Boards & Commissions - Discussion and/or action

1. Conservation Commission – (3 year terms)

Two expired terms to expire 1/2017

Councilor W. Steere stated that these are the expired terms of John Andrade and Greg Ponte. Michael Ahnrud, Conservation Commission chair, stated that both members have indicated that they wish to serve another 3-year term.

MOTION was made by Councilor Reichert to REAPPOINT John Andrade and Greg Ponte to the Conservation Commission for three year terms to expire 1/2017; seconded by Councilor Burlingame

Discussion: None.

VOTE: AYES: W. Steere, Reichert, Burlingame and Sette.

NAYS: 0

MOTION PASSED

2. Zoning Board of Review - (1 year terms)

Two alternate expired terms to expire 1/2015

Councilor W. Steere stated that these are the expired terms of Cyril Crawley and Tracey Donnelly. The Chair has indicated that they would like to be reappointed.

MOTION was made by Councilor Sette to REAPPOINT Cyril Crawley and Tracey Donnelly to the Zoning Board of Review for alternate one year terms to expire 1/2015; seconded by Councilor Burlingame

Discussion: None.

VOTE: AYES: W. Steere, Reichert, Burlingame and Sette.

NAYS: 0

MOTION PASSED

3. Senior Center Board of Directors – (5 year term)

One expired term to expire 1/2014

Councilor W. Steere stated that this is for the expired term of Kathleen Spink, adding that she would like to be reappointed.

MOTION was made by Councilor Burlingame to REAPPOINT Kathleen Spink to the Senior Center Board of Directors for a 5 year term to expire 1/2019; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, Burlingame and Sette.

NAYS: 0

MOTION PASSED

F. Police Mutual Aid Agreements between Gloucester & surrounding communities

Discussion and/or action

The Solicitor has prepared a Resolution for Council regarding Mutual Aid Agreements and once Council approves the Chief can execute the three contracts. Councilor Reichert read the Resolution:

**RESOLUTION #2013-15
GLOUCESTER TOWN COUNCIL RESOLUTION**

Authorizing the Chief of Police to enter into mutual aid agreements with the Towns of Burrillville, Foster, and Scituate

WHEREAS, the Gloucester Chief of Police seeks to enter into mutual aid agreements with the Towns of Burrillville, Foster, and Scituate as provided for in Rhode Island General Laws 45-42-2, for the purpose of providing reciprocal police services across jurisdictional lines; and

WHEREAS, these agreements will support and enhance the capabilities of local law enforcement; and

WHEREAS, these agreements will provide additional protection for the residents of Gloucester and will provide additional assistance to the members of the Gloucester Police Department; and

WHEREAS, each participating law enforcement agency will provide the Gloucester Police Department and the Gloucester Town Council with a certified copy of a resolution by the respective Town Council authorizing the provision of police services across jurisdictional lines; and

WHEREAS, absent a mutual aid agreement, law enforcement officers do not have the authority to perform their duties outside their own jurisdictions in a non-emergency situation, when necessary.

NOW THEREFORE BE IT RESOLVED the Town Council hereby acknowledges that it is advantageous to enter into mutual aid agreements to provide non-emergency police power and services to adjacent towns, namely Burrillville, Foster, and Scituate, pursuant to the provisions of RIGL 45-42-2, and authorizes the Chief of Police to enter into said mutual aid agreements.

Walter M.O. Steere, III, President Jean M. Fecteau, CMC, Town Clerk

Dated this 19th Day of December, 2013

seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, Burlingame and Sette.

NAYS: 0

MOTION PASSED

VIII. Council Correspondence/Discussion

A. Councilor W. Steere stated that he, Councilor Sette, Ray Goff, Senator Paul Fogarty and Representative Michael Chippendale met with DOT Director Michael Lewis and as a result, the following correspondence was received:

December 18, 2013
The Honorable Walter M. O. Steere III

Dear President Steere:

Thank you for your letter regarding the work taking place along Route 44 in Chepachet. We were glad to meet with representatives of the town this week, and we look forward to working together to find a reasonable solution to the light post issue.

As we discussed in the meeting, there are many buildings located close to the back of

the sidewalk on this section of Route 44, particularly north of Douglas Hook Road. In order to meet Americans With Disabilities Act regulations in this area, the ornamental lights must remain at the curb as they were installed. However, modifications, if needed, may be possible in the area south of Douglas Hook Road where a couple of posts were recently damaged. It is important to note that motor vehicle operators, including the Department and its contractors, are responsible for any damage that they cause to these lights.

As proposed, we will work with the town to monitor the area south of Douglas Hook Road for one year following the completion of the project to determine if additional work or changes are warranted. In the interim, we will provide the town with six light posts and luminaries to hold in reserve in the case that replacements are necessary during this study period.

We appreciate your collaborative spirit on this matter and, again, look forward to working with you on this as well as future projects such as the roundabout at the intersection of Route 44, 100 and 102. Please note the decorative lights for the roundabout will be located at the back of the sidewalk given there will be ample room available and given the way the traffic will move through the circulator.

Thank you again for your letter. If you have further questions, please contact Legislative Liaison Bernie Frezza at 222-6510, Ext. 4004.

Sincerely,
Phillip Kydd
Deputy Director
(End of letter)

Councilor Sette noted that a bit of a compromise has been reached with the State regarding the issue of the light posts. Councilor Sette commented that when drivers approach this part of the Village, they are inclined to slow down and be more careful. However, Councilor Sette stated that most of the problems have occurred in the area heading East toward the former State Police Barracks.

Councilor Sette stated that the DOT would consider relocating the posts in this area, if necessary, because the sidewalks are wider. Councilor Sette stated that an agreement was made that if several more lights are damaged in the next two or three months, we will sit down with the State to come up with a solution.

Councilor W. Steere stated that we also asked to have the lights put on a timer when we officially accept them. Councilor Sette noted that we will have a key to the timing system which will allow us to make adjustments on or own when the clocks are changed in the Spring and the Fall.

Regarding the roundabout, Councilor W. Steere stated that there is dysfunction at the Federal Level regarding the funding for this and other projects throughout the State.

- B. Councilor W. Steere stated that a letter was transmitted from the Town Planner to the Division of Planning and Development notifying them that the Town of Gloucester will not be able to utilize the 2011 Large Grant Award.
- C. Councilor W. Steere stated that correspondence was received from the Office of Housing and Community Development regarding the 2014 requirements for the CDBG Program.
- D. Councilor W. Steere explained, for the benefit of the Boy Scouts present at the meeting, the process of finding suitable land to use for new baseball fields. Councilor W. Steere stated that the parcel which was to be purchased did not meet the specifications necessary for this type of development. Councilor W. Steere noted that the Council has not lost interest, adding that Councilor Sette and Ray Goff, Town Planner, will work with the Land Trust to find a parcel which suits our needs. Councilor W. Steere also stated that this is a time-sensitive issue as the existing ball fields will revert back to the Chepachet Cemetery Association at some point in the future.

IX. Department Head Report/Discussion Bds. & Commissions - Discussion

- A. Joseph DelPrete, Chief of Police, updated the Council regarding the Dispatcher position. J. DelPrete stated that a background investigation is being conducted on the candidate and if successful, Chief DelPrete requested appointment the first or second week in January.
- B. Councilor Sette commented that the screening committee conducted six (6) interviews for the Finance Director position and the group has been narrowed down to three (3) candidates, who will be referred to the Town Council for final interviews. There was Council consensus to schedule the interviews for January 7, 2014, at 6:00 p.m. allowing one hour for each candidate.

X. Open Forum

- A. Donald Simpson, of 150 Lake View Drive, spoke about the sidewalk at Routes 102 and 44, stating that heading South onto Route 102, the sidewalk sticks out about three (3) feet. D. Simpson stated that it is difficult to see this when it is dark or raining and recommended that a reflective sign be placed. Councilor W. Steere stated that the Town Planner could contact the State concerning possible remediation.

XI. Seek to Convene to Executive Session

MOTION was made by Councilor Burlingame to CONVENE to Executive Session pursuant to R.I.G.L. 42-46-5 (a) (2) Collective Bargaining: Police Officers Contract; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, Burlingame and Sette.

NAYS: 0

MOTION PASSED

XII. Reconvene Open Session (Disclose votes taken in Executive Session)

MOTION was made by Councilor Burlingame to Reconvene Open Session and to SEAL the minutes of Executive Session (no voters were taken); seconded by Councilor Reichert.

VOTE: AYES: W. Steere, Reichert, Burlingame and Sette.

NAYS: 0

MOTION PASSED

XIII. Adjourn

MOTION was made by Councilor Sette to ADJOURN at 8:35 p.m.; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES: W. Steere, Reichert, Burlingame and Sette.

NAYS: 0

MOTION PASSED

Jean M. Fecteau, Town Clerk

Approved at the January 2, 2014 Town Council Meeting.