

At a meeting of the Town Council holden in and for the Town of Gloucester on December 1, 2016:

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, Vice-President; William E. Reichert; and Edward C. Burlingame.

Member Absent: Steven A. Sette (arrived at 8:15 pm.)

Also present: Tim Kane, Town Solicitor; Jean Fecteau, Town Clerk; Joseph DelPrete, Chief of Police; Susan Harris, Deputy Town Clerk; Diane Brennan, Finance Director; and Gary Treml, Director of Public Works.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum - For Agenda Items

None.

V. Consent Items - Discussion and/or action

A. Approval of Town Council regular meeting minutes of November 17, 2016
MOTION was made by Councilor G. Steere to TABLE the approval of the Town Council regular meeting minutes of November 17, 2016 to the December 15, 2016 meeting; seconded by Councilor Burlingame.

Discussion: None.

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

MOTION PASSED

VI. Unfinished Business

A. Boards & Commission

1. Appointment

a. Senior Center Board of Directors

One term to expire 10/2021 - Discussion and/or action

Councilor W. Steere noted that we do have a name from 2014 and suggested that the Clerk reach out to that person to determine if there is still interest in the position.

MOTION was made by Councilor Burlingame to TABLE the Appointment to the Senior Center Board of Directors and ask the Clerk to check the Talent Bank application; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

b. Affordable Housing Board

One term to expire 12/2016 - Discussion and/or action

Councilor W. Steere stated that there are two (2) potential candidates for this position, however all members of this Board will be up for reappointment in January. Councilor Burlingame suggested that the Council appoint someone tonight and reappoint the current members in January.

It was stated that both candidates currently serve on other boards, Community Resource Commission and the Conservation Commission. Tim Kane, Town Solicitor, stated that neither would constitute a conflict of interest. There was Council consensus to appoint the individual who applied first.

MOTION was made by Councilor G. Steere to APPOINT Linda Laliberte to the Affordable Housing Board, one term to expire 12/2016; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

VII. New Business

A. Request & Authorization for Financial Support: Heritage Society/Glocester Business Association - Candlelight Shopping Police detail - Discussion and/or action

Councilor W. Steere explained that at the last Council meeting, Charlie Wilson, Chair of Candlelight Shopping, asked the town for assistance by funding one of the police details. There was a consensus of the Council to support Candlelight Shopping, as they have in the past. Councilor W. Steere stated that the funds will be taken from the Council Contingency account.

MOTION was made by Councilor Burlingame to AUTHORIZE an expenditure, from the Town Council's contingency fund, for a police detail for candlelight shopping for December 2016; seconded by Councilor G. Steere.

Discussion: None.

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

MOTION PASSED

- B. Authorization for expenditure: Holiday Wreaths on period lighting poles - Discussion and/or action

Councilor W. Steere stated that this was also discussed at the last Council meeting.

MOTION was made by Councilor Burlingame to AUTHORIZE an expenditure, not to exceed \$500.00, from the Town Council contingency fund, for the payment of holiday wreaths to be placed on the village period lighting poles for the 2016 holiday season; seconded by Councilor G. Steere.

Discussion: None.

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

MOTION PASSED

- C. Boards & Commissions
 - 1. Appointments - Discussion and/or action
 - a. Budget Board - One term to expire 01/2018

MOTION was made by Councilor Burlingame to TABLE the appointment to the Budget Board until the next Town Council meeting; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

Councilor G. Steere asked if we should advertise for this position. Councilor W. Steere replied if we do not have a candidate by the next meeting, we should advertise.

- D. Town of Gloucester Cyber Security & Practices
 - 1. Authorization for signature: Letter of Authorization
EMA Director & IT Specialist - Discussion and/or action

Councilor W. Steere stated that the Council has received a document prepared by Matt Floor, IT Specialist, that if approved would authorize the Town's EMA Director & IT Specialist to make the necessary changes or other actions needed to protect the Town of Gloucester's computer networks and data in the event of a cyber disruption or security anomaly. Councilor W. Steere stated this authorization, as written, will be for a two year period.

Councilor Burlingame stated that this came up at the Department Head meeting and it has been recommended to designate somebody regarding cyber security.

MOTION was made by Councilor Burlingame to AUTHORIZE the Town Council President to sign a Letter of Authorization, dated December 1, 2016, delegating authority to Jason Rhodes, EMA Director & Matthew Floor, IT Specialist, for two years from the date of this authorization, to

take necessary actions to protect the Town of Gloucester's cyber network, take action to protect stored data, and to initiate action should a breach occur during the period of the authorization; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

E. Renewable Energy

1. Rules & regulations adopted by R.I. Dept of Administration
 re: Commercial Renewable Energy Systems Tangible Tax Value Discussion
 and/or action

Tim Kane, Town Solicitor, informed the Council that the State has adopted rules regarding taxation going forward. Atty. Kane stated the formula is \$5.00 per kilowatt for commercial operations, \$5,000 for a megawatt and \$10,000 for 2 megawatts, according to the State's guidelines. T. Kane noted that residential solar facilities would be exempt under the regulations and the Council would have the option to grant a tax waiver for renewable systems that are not selling power for commercial purposes. T. Kane asked the Council to authorize him to draft an Ordinance for January, adding that it is important to get this in place as there is a lot of interest in solar in Gloucester.

2. Proposed Code of Ordinance amendments -Taxation - Discussion and/or
 action

MOTION was made by Councilor Burlingame to AUTHORIZE the Town Solicitor to draft an Ordinance with regard to the taxation of Commercial Renewable Energy Systems; seconded by Councilor G. Steere.

Discussion: None.

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

MOTION PASSED

F. Resident Request: Taxes - Disability Exemption Consideration - Discussion and/or
 action

Councilor W. Steere stated that the Council has received a request from a resident who missed the deadline for filing their annual form to receive their disability tax exemption.

Discussion: Councilor Burlingame stated that the Council recently made decisions regarding the taxpayers who missed the deadline for the elderly exemption, asking the Tax Assessor to make sure these people were not dropped off in error. Councilor Burlingame stated that he was not aware that there was also a similar situation with the disability exemptions because he never

received that list. Councilor Burlingame stated in this case, the individual has a permanent disability which is verified by documentation. Councilor Burlingame stated that the increase in taxes is over \$2,000, prorated over 12 months by the mortgage company. Councilor Burlingame noted that the bank will not do anything about it for a year or so, leaving the individual without any recourse. Councilor Burlingame stated that this is a hardship situation and feels that the Council should grant a rebate so the taxpayer can offset the increased bank payment.

Councilor Burlingame stated that we need to be diligent about when people are dropped off these rolls. Councilor Burlingame stated that if a person has been eligible but misses the deadline, they should call the Tax Assessor to “make their case”. Councilor Burlingame’s recommendation is to abate these taxes directly to the people involved and have them come in to fill out the form so they are covered for next year. Councilor Burlingame stated that these things upset him and we need to be proactive.

Councilor G. Steere agreed, stating that the tax bill went out to the mortgage company, who then raised the mortgage payment because the escrow went up. Councilor G. Steere stated that the mortgage company will not change it or even review it for a year. Councilor G. Steere stated that the person has no choice but to pay the increased mortgage or risk losing their home. Councilor G. Steere agreed that the only fair way to do it would be to rebate the amount to them so they can pay the increased payment for the next year.

Councilor Reichert also expressed agreement, adding that this seems to be happening more frequently over the past couple of years. Councilor Reichert commented that you don’t get any younger or undisable so there should be something in place so this doesn’t happen.

Councilor W. Steere stated that he agrees for the most part, but feels that we can’t double-check on everyone who is supposed to have an exemption. Councilor W. Steere stated that we have deadlines for a reason, but we should have a process in place to confirm that we received the application and if not, a registered letter should be sent to the taxpayer.

Councilor Burlingame stated that each situation has its own unique circumstances. Councilor Burlingame agreed that we should have guidelines, but they should not be so rigid that we can’t use common sense and make exceptions when warranted.

Councilor W. Steere noted that we have had other requests that have been denied. Councilor Burlingame stated that this case is different because it is a disability and we must be sensitive and do things right.

MOTION was made by Councilor Burlingame to ABATE the taxes \$2,070 in respect to the 2016 tax bill, for Plat 16, Lot 144, and to issue a rebate in said amount (\$2,070); seconded by Councilor G. Steere.

Discussion: Councilor W. Steere stated this is special circumstances (disability) but that we do need to have tighter procedures in place to cut down on these situations. Councilor Reichert stated that

perhaps when a “new” assessor is in place we can stress the importance of addressing this situation. Councilor Burlingame stated that will be done.

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

MOTION PASSED

G. Gloucester Code of Ordinances

1. Proposed Ordinance - 1st Reading

a. Chapter 174. Special Event Licenses, 174-1. Special Event Licenses for Class B Establishments - Discussion and/or action

Councilor W. Steere stated that Atty. Kane has prepared a proposed addition to the Code of Ordinances to regulate Special Events for liquor establishments.

MOTION was made by Councilor Reichert to WAIVE the reading of the Proposed Ordinance, Chapter 174. Special Event Licenses, 174.1 Special Event Licenses for Class B Establishments; seconded by Councilor G. Steere.

Discussion: None.

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

MOTION PASSED

Tim Kane, Town Solicitor, explained that this Ordinance would codify the way the Council has been handling these matters for the last several years. Atty. Kane stated the applicants would come before the Council in November and get their Liquor, Entertainment and Special Event licenses all at that time. T. Kane stated that he did include an opening for the unlikely event that there is a new owner or transfer of ownership.

Councilor G. Steere asked if the 300 foot perimeter for notice is the same as it stands now. T. Kane replied that it is currently 300 feet for Entertainment licenses. Councilor G. Steere stated that the applicants don't know what they will have a year ahead of time and it would be better if they asked for a certain number of events per month, then let the Council know then what the event will be. T. Kane stated he tried to make it flexible enough so that under the Ordinance they could do that.

Councilor W. Steere commented that over the past eight (8) years, we have gone from having nothing to being lenient with businesses, but unfortunately some businesses tend to take advantage of it. Councilor W. Steere stated that this Ordinance would give guidelines for the Council and would allow businesses to know what to expect.

MOTION was made by Councilor Burlingame to SET a Public Hearing date of January 5, 2017 for the consideration of an amendment to the Code of Ordinances, Chapter 174. Special Event Licenses, 174-1. Special Event Licenses for Class B Establishments; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

H. Glocester Licensing Board

1. Set fee for liquor license amendment to existing license (expansion of hours) per R.I.G.L. 3-7-7 Class B license - Discussion and/or action

Councilor W. Steere stated that the Clerk and the Solicitor recently reviewed state law governing liquor licenses and realized that the town does not have a fee set, within the state guidelines, for the expansion of hours the day before a holiday. Councilor W. Steere stated the law states the fee will be between \$200 and \$500.

Discussion: Councilor W. Steere asked if we are required to have a fee. T. Kane replied in the affirmative. Councilor Burlingame stated that nothing good happens after 1:00 a.m., therefore, he would like to set the fee at \$500.00 to discourage establishments from applying. Councilor G. Steere stated that we could just not issue any expansions beyond 1:00 a.m. Jean Fecteau, Town Clerk, stated that the way she interprets the law, we have to offer the application process. Councilor Burlingame expressed his concern that people will come over the border to Glocester after establishments close in Connecticut.

MOTION was made by Councilor Burlingame to set the fee at \$500.00 for the application of expansion of hours for the day before a holiday; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

Councilor W. Steere asked if expansion of hours could mean earlier as well as later. Councilor Burlingame stated that he would not have as much of a problem with that as he would with opening later. Councilor W. Steere noted that the Council would still have the purview whether or not to allow it. J. Fecteau stated that the motion covers both scenarios.

VIII. Town Council Correspondence and/or Discussion

- A. Councilor W. Steere stated that the Council received a request from the Civil Air Patrol for some type of Resolution to commemorate their 75th anniversary. There was Council consensus to put this on the next Council agenda.

- B. Councilor W. Steere stated that a request was received to support an initiative to educate people who are divorcing so that the children are not damaged. There was Council consensus that this was not a Council issue.

IX. Department Head Reports/Discussion
None.

X. Bds. and Commissions Reports/ Discussion
None.

XI. Open Forum
None.

XII. MOTION was made by Councilor G. Steere to Seek to Convene to Executive Session Pursuant to:
A. R.I.G.L. 42-46-5 (a)(2) Collective Bargaining: Contract Negotiations - Discussion and/or action
B. R.I.G.L. 42-46-5 (a)(2) Potential Litigation
seconded by Councilor Burlingame.

Discussion: None.

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

MOTION PASSED

XIII. Reconvene Open Session (Disclose votes taken in Executive Session)
MOTION was made by Councilor Burlingame to SEAL the minutes of Closed Executive Session & Disclose that one (1) vote was taken; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

XIV. Adjourn

MOTION was made by Councilor Sette to ADJOURN at 9:15 p.m.; seconded by Councilor Reichert.

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

MOTION PASSED