

At a meeting of the Town Council holden in and for the Town of Gloucester on January 19, 2017:

I. Call to Order

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

II. Roll Call

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

Also present: Tim Kane, Town Solicitor; Jean Fecteau, Town Clerk; Susan Harris, Deputy Town Clerk; Joseph DelPrete, Chief of Police; Jane Steere, Tax Collector; Anthony Parrillo, Recreation Director; Judy Branch, Human Services Director; and Ken Johnson, Building/Zoning Official.

III. Pledge of Allegiance

After the Pledge was recited, Councilor G. Steere asked everyone to remain standing for:

A MOMENT OF SILENCE IN MEMORY OF:

**Rose M. LaVoie**

Councilor Burlingame commented that Rose LaVoie was a special person who will be missed by many. Councilor W. Steere agreed and stated that she always had insightful comments before, during and after Town Council meetings.

IV. Open Forum - For Agenda Items

A. Linda Nichols, chair of the Community Resource and Wastewater Advisory Commission, addressed the Town Council regarding comments made at the Jan. 5<sup>th</sup> meeting. L. Nichols stated that Councilor Burlingame spoke about the hydro project and solar project as if the Resource Commission had done nothing and that nothing came out of these projects. L. Nichols stated that when the Resource Commission first started, they came in "blind-sided" and had to learn through research and study. L. Nichols noted that the Commission was successful in receiving a grant for the hydro-power project feasibility study, adding that there was no cost to the Town or the taxpayers. L. Nichols stated that the primary responsibility of the Resource Commission is to assist the Town with implantation and management of green energy resources and to advise the Town Council and other boards on how the Town can better utilize the natural physical and human resources, with the purpose of offsetting the tax burden of the residents and businesses of the Town.

L. Nichols commented that she believes very strongly in this community and the environment, and is a strong believer in alternate energy, hydro, solar and wind

turbines, to reduce property taxes and bring good clean energy to our communities.

L. Nichols stated that former Governor Chaffee was very interested in the fact that Gloucester was the only town in the state that was working on these kinds of projects.

L. Nichols stated that the Commission also put in a Resolution with the General Assembly expressing full support for federal legislation to eliminate the Federal Energy Regulatory Commission's regulations on all hydro-electric installations of less than two megawatts.

L. Nichols spoke regarding other endeavors of the Resource Commission such as three (3) lighting fairs, educational solar fairs and the Community Garden on Reynolds Road, which resulted in 1632 lbs. of food donated to the Gloucester Food Bank. L. Nichols stated that the Commission has done so much for this community and deserves to be treated with dignity and respect.

- B. Arthur Santoro, member of the Community Resource and Wastewater Advisory Commission since October, stated that he would like to see the board continue because they have contributed a lot to the Town and there is a lot more that they can do.
- C. Councilor Reichert responded to L. Nichols, stating that solar power at the Transfer Station was not feasible because running 3-phase wire from Route 44 would be cost-prohibitive. Regarding water power, Councilor Reichert stated that it was a long shot. Councilor Reichert stated that he has explained that to L. Nichols, but she is still going on as if the Commission is continuing the project.
- D. Joel Gates stated that he has been on the Resource Commission for six months and spoke in support of the Commission. J. Gates stated that he has asked the Town Planner for a topographic map to look for other locations for solar power. J. Gates stated that the Commission is trying to bring renewable energy to the Town, which would be a win-win for Gloucester residents, by lowering the tax burden and combating climate change.
- E. Roy Anderton, member of the Community Resource and Wastewater Advisory Commission, stated that they have worked on the above mentioned projects for the past couple of years. R. Anderton stated that there wasn't enough property at the Transfer Station and we would need several properties or one large one to net-grid the entire Town to reduce our energy costs. R. Anderton stated that he knows the Council objects to using school properties, but we do pay their electric bill. R. Anderton stated that once we know where the 3-phase wiring is located, we can decide where to place solar power.
- F. Councilor Burlingame stated that when mentioning properties, we have to take that into context with the solar ordinance regarding clear-cutting land. Regarding the

schools, Councilor Burlingame stated that the School Department said no because they don't want to poke holes in the roof, and that was the end of that discussion.

V. Public Hearings- Discussion and/or action

A. Gloucester Code of Ordinance - **CONTINUATION**

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

Councilor G. Steere stated that the first reading for this proposed ordinance was held on December 1, 2016 and the Public Hearing was advertised in the Observer on December 22, 2016.

Councilor G. Steere stated that the Public Hearing was opened on January 5, 2017 and after discussion was continued to this meeting. Councilor G. Steere reopened the Public Hearing and asked if anyone wished to speak.

Discussion:

- A. Councilor Burlingame stated that the Council has a recommendation that defines a Special Event as one that would exceed the normal capacity of the establishment and has outside entertainment with music, because this would affect the neighbors. Councilor Burlingame stated that it is the responsibility of the establishment to make sure they don't have an over-capacity situation during a normal event, because if they go over and the Police get involved, they have another kind of problem.
- B. Brian Kauch asked if any exemptions would be permitted, such as for a Church that wants to have a social. Tim Kane, Town Solicitor, replied that this Ordinance pertains to events held outside a licensed establishment where entertainment is offered. B. Kauch asked if the Council would consider exemptions for non-profits. Councilor G. Steere explained that this is just for businesses where alcohol is served. Councilor Burlingame stated that there was discussion at the last meeting regarding the difference between a car wash at an establishment that serves liquor vs. a car wash for the high school at Dino's.
- C. Tim Kane stated that he has given the Council an alternate version of the proposed Ordinance, based on changes made at the last meeting. T. Kane stated that he didn't include outside entertainment restricted to just music because it could be a DJ, a microphone or other things. T. Kane stated that there were "housekeeping matters", such as six (6) business days prior to the event the application must be filed with the Town Clerk, a fee of \$10.00 per day, and we stated that the applicant will be responsible for cost of advertising and notice to abutters. T. Kane stated that he would like to add that the applicant will be responsible for the cost of any Police detail.
- D. Councilor Henry asked if we are going to put in the number of events per month. T. Kane replied that once the Ordinance is in place, the applicant will indicate how many they wish to have when they come before the Council for their license.

Councilor Henry expressed concern about having Special Events on consecutive days, such as Friday, Saturday and Sunday. Councilor G. Steere stated that this is addressed at the beginning of the year when they come in with their proposal.

Councilor G. Steere asked if anyone else wished to speak. Hearing none, Councilor G. Steere declared the Public Hearing CLOSED.

**MOTION was made by Councilor Burlingame to ADOPT** the amendment to the Gloucester Code of Ordinance, Addition of Chapter 174. Special Event Licenses, 174-1. Special Event Licenses for Liquor Establishments, **as amended after public hearing:** seconded by Councilor Reichert.

Discussion: Councilor G. Steere noted that the Ordinance will include the payment for a Police detail.

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

MOTION PASSED

- B.     Gloucester Licensing Board
  - 1.     (NEW) VICTUALING LICENSE - Discussion and/or action
    - a.     Harmony Lodge Restaurant  
          Location of Business: 102 Putnam Pike, Gloucester

Councilor G. Steere stated that this Public Hearing was advertised in the Valley Breeze Observer on December 29, 2016, January 5<sup>th</sup>, & January 12<sup>th</sup>, 2017 and abutters were notified.

**Councilor G. Steere DECLARED the Public Hearing OPEN** and stated that anyone wishing to speak for or against the issuance of this license must come up to the microphone and state their name and address.

Discussion: Michael Fournier, applicant, of 100 Rustic Hill Road stated that he is purchasing the restaurant from family members and noted that he plans to operate the establishment the same way as it is currently run. M. Fournier noted that he has been the food and beverage manager at the Courtyard in Providence for the past five (5) years. M. Fournier stated that owning a restaurant has been a dream of his since he was a teenager.

Councilor G. Steere stated that there were several tax issues and asked the applicant if they have been taken care of. M. Fournier replied in the affirmative.

Councilor G. Steere asked if anyone else wished to be heard. Hearing none, Councilor G. Steere declared the Public Hearing CLOSED.

MOTION was made by Councilor Burlingame to GRANT the Issuance of a Victualing License to:

Harmony Lodge Restaurant

Location of Business: 102 Putnam Pike

contingent upon: 1) payment of all Town taxes; 2) Building/Zoning approval as needed; 3) Police approval and/or Fire inspection as needed; 4) submittal of Health Department approval, 5) submittal of a Food Manager Certificate, 6) submittal of a Rhode Island Permit to Make Sales; this license shall be for the interior of the premise only and is valid to November 30, 2017; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

2. LIQUOR LICENSE TRANSFER - Discussion and/or action

- a. **FROM:** 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  
**TO:** Harmony Lodge Restaurant, LLC, Michael W. Fournier and Catherine M. Hamill, d/b/a Harmony Lodge Restaurant, 102 Putnam Pike

Councilor G. Steere stated that this Hearing was advertised in the Valley Breeze Observer on January 4<sup>th</sup> and 11<sup>th</sup>, 2017 and abutters were notified.

Councilor G. Steere DECLARED the Public Hearing OPEN.

Councilor G. Steere stated for the record a claim was received against the license transfer but was released prior to the start of this meeting. The claim and discharge are on file in the Clerk's office.

Councilor G. Steere stated that anyone wishing to speak for or against the issuance of this license must come up to the microphone and state their name and address.

Discussion: None.

Councilor G. Steere DECLARED the Public Hearing CLOSED.

MOTION was made by Councilor Henry to GRANT the transfer of a Class BV Retailer Liquor License to:

Harmony Lodge Restaurant, LLC, Michael W. Fournier and Catherine M. Hamill,  
d/b/a Harmony Lodge Restaurant  
Location of Business: 102 Putnam Pike

contingent upon:

1) Issuance of a valid Victualing License; 2) payment of all Town taxes; 3) Building/Zoning approval as needed; 4) Fire inspection & Police Chief approval as needed; 5) submittal of a Rhode Island Certificate of Good Standing, 6) submittal of a Rhode Island Permit to Make Sales, 7) submittal of Alcohol Service Certification for all employees, 8) submittal of a copy of the restaurant menu, 9) submittal of a Rhode Island B.C.I. check; this license shall be for the interior of the premise only and is valid to November 30, 2017; seconded by Councilor Burlingame.

Discussion: None.

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

MOTION PASSED

3. (NEW) ENTERTAINMENT LICENSE - Discussion and/or action
  - a. Harmony Lodge Restaurant, LLC, d/b/a Harmony Lodge Restaurant  
Location of Business: 102 Putnam Pike

Councilor G. Steere stated that this Hearing was advertised in the Valley Breeze Observer on January 5<sup>th</sup> 2017 and abutters were notified.

Councilor G. Steere DECLARED the Public Hearing OPEN and stated that anyone wishing to speak for or against the issuance of this license must come up to the microphone and state your name and address.

Discussion: None.

Councilor G. Steere DECLARED the Public Hearing CLOSED.

Councilor Henry asked what would fall under “new entertainment”. Jean Fecteau, Town Clerk, replied that the application states “acoustic guitar, piano, trivia night”. Councilor Henry asked if the entertainment would be inside. J. Fecteau replied in the affirmative.

MOTION was made by Councilor Burlingame to GRANT an Entertainment License to:

Harmony Lodge Restaurant, LLC, d/b/a Harmony Lodge Restaurant  
Location of Business: 102 Putnam Pike

contingent upon 1) Payment of all Town taxes; 2) Building/Zoning approval as needed; 3) Fire inspection & Police Chief approval as needed; this license is valid to November 30, 2017 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 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 any other reasonable conditions and restrictions as the Town Council may from time to time require.

Seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

- VI. Consent Items - Discussion and/or action
  - A. Approval of Town Council regular meeting minutes of of January 5, 2017
  - B. Tax Assessor's Office - Additions & Abatements as of Dec. 31, 2016
  - C. Finance Director's Report for December, 2016

MOTION was made by Councilor Henry to APPROVE the Town Council regular meeting minutes of January 5<sup>th</sup>, 2017; to APPROVE the Abatements to the 2016 Tax Roll in the amount of \$8,267.93 , No Additions for December 2016; and to ACCEPT the Finance Director's Report for December 2016; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

- VII. Unfinished Business
  - A. Boards & Commission
    1. Appointments - Discussion and/or action
      - a. Budget Board
        - (1) Three year term to expire 01/2018

Councilor G. Steere stated that David Lohr has submitted a Talent Bank Application to serve on the Budget Board. Councilor Burlingame stated that he has spoken with Mr. Lohr, who saw the ad for volunteers placed by the Town Clerk. Councilor Burlingame noted that the candidate formerly served on the Senior Center Board of Directors and was also a member of the School Committee.

MOTION was made by Councilor Burlingame to APPOINT David Lohr to the Budget Board for a term to expire 1/2018; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

- b. Conservation Commission
  - (1) Three year term to expire 1/2020

Councilor G. Steere stated that the Chair of this Board has forwarded an email from member, Gregg Ponte, who does not wish to be reappointed. Councilor G. Steere stated that the Chair has made a recommendation of Kathy Houghton.

MOTION was made by Councilor Reichert to APPOINT Kathy Houghton to the Conservation Commission for a term to expire 1/2020; seconded by Councilor Henry.

Discussion: Councilor W. Steere stated that while he believes that this would be a good candidate, in the past the Council had concerns about a husband and wife serving on the same board. Councilor G. Steere noted that in the situation referred to by Councilor W. Steere, the board in question was in the practice of spending a lot of Town money, and he feels that there would not be a problem with the Conservation Commission having a husband and wife. Councilor Henry stated that in this day and age, husbands and wives can act independently in business issues.

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

MOTION PASSED

- B. Boards & Commission - Terms concurrent with Town Council- Discussion and/or action

Councilor G. Steere stated that items 1-3 were continued from the last meeting for discussion on whether these boards were still viable.

- 1. Personnel Board - Three expired terms

Councilor G. Steere stated that this Board was created by Ordinance.

Councilor G. Steere stated that of the three members, only David Piccirillo wishes to be reappointed and Russell Gross and Steven St. Pierre have indicated that they do not wish to be reappointed.

MOTION was made by Councilor Reichert to REAPPOINT David Piccirillo to the Personnel Board for a term to expire 1/2019; seconded by Councilor Burlingame.

Discussion: Councilor Henry stated that she served on the Personnel Board approximately twenty years ago when the Board was charged with several things, however she believes that the Board should now be refocused and given a new charge. Councilor Henry noted that we are looking for some definitions and job descriptions, which would be appropriate for the Personnel Board to work on.

Councilor Burlingame stated that when the Council created the Personnel Board, we had just put the Charter in and needed to have things put into place, such as job descriptions. Councilor Burlingame pointed out that at the time we did not have a HR Director, which we do now. Councilor Burlingame questioned the need for a Personnel Board, stating that it would be a duplication of effort and who would have the final say.

Councilor W. Steere stated that if we are going to keep the Personnel Board, we need to define what their charge is and make it more consistent with what today's needs are. Councilor Henry suggested that the Board assist the Council in getting candidates for Boards and Commissions. Councilor Burlingame stated that he would rather that be the Council's purview because they are appointed by the Council.

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

MOTION PASSED

MOTION was made by Councilor Burlingame to TABLE two positions on the Personnel Board; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

Councilor G. Steere stated that there needs to be more Council discussion regarding what the Council is going to do regarding this board. Councilor Burlingame stated that he is the liaison to the HR Department and he will work with the Director on the matter.

## 2. Recreation Commission - Five expired terms

Councilor G. Steere stated that the Recreation Commission was created by Charter and further by an Ordinance.

Councilor G. Steere stated that the Commission last met on 3/25/2014 and is comprised of the following members:

Stephen Alexander  
William Elderkin

Kevin Leahy  
Martha Huston  
Anthony Parrillo

Councilor Henry stated that she is the liaison to this Commission and has contacted Kevin Leahy, who is currently listed as chair. Councilor Henry stated that K. Leahy informed her that they had not met in a year and a half and he feels that it was a dysfunctional commission at the time. Councilor Henry stated that although we have five (5) members listed, K. Leahy felt that there were currently only two (2) members, himself and Stephen Alexander. Councilor Henry stated that the Charter states that we are also to have three (3) ex-officio members appointed to the Commission. Councilor Henry expressed her opinion that this is an important Commission, especially with the parks that we have and the pavilion going up. Councilor Henry stated that she will work very hard to find people to appoint to this Commission.

Councilor Henry stated that she also spoke to Anthony Parrillo, Recreation Director, about his responsibility to work with the Recreation Commission. Councilor Henry told A. Parrillo that she plans to get the Commission up and vibrant and that the Recreation Director and Recreation Commission must work together to get activities going for the benefit of the Town. Councilor Henry stated that, as liaison, she will take it upon herself to personally call each of the sitting members to tell them that they must have a meeting.

Councilor Burlingame agreed, stating that the Town now has property off Snake Hill Road to consider and there is a lack of a plan on the upkeep of Gloucester Memorial Park.

Councilor G. Steere stated that he thinks that Anthony Parrillo should be stepping up because he is in a paid position and this is part of his job. Councilor Burlingame agreed, stating that he is a Department Head and should be coming to the Council meetings. Councilor Henry stated that she asked A. Parrillo to forward to her a list of all programs he is currently running. Councilor Henry commented that there are things for children and there are activities at the Senior Center, but there is a whole population in the middle that we need to get some things going for.

MOTION was made by Councilor Burlingame to TABLE the appointments to the Recreation Commission until the next Town Council meeting; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

3. Community Resource and Wastewater Advisory Commission - Seven expired terms & Two Alternate terms

Councilor G. Steere stated that this Commission was created by Ordinance. Councilor G. Steere noted that of the current members, Linda Laliberte does not wish to be reappointed.

Councilor Henry stated that there are two (2) key words in the Ordinance regarding the powers and duties of this Commission: to advise and to make recommendations. Councilor Henry feels that these key words have been ignored. Councilor Henry stated that the Community Resource and Wastewater Advisory Commission needs to be re-purposed and redirected. Regarding the Community Garden, Councilor Henry explained how she believed community gardens worked, residents came together, worked, donating their time, and celebrated their harvest. Councilor Henry stated that she feels very strongly that the Town should not pay for this with tax dollars. Councilor Henry further stated that she has not seen good results from the garden lately.

MOTION was made by Councilor Henry to re-purpose the charge of the Community Resource and Wastewater Advisory Commission, and to reappoint Joel Gates, Jena Degre, Arthur Santoro and Roy Anderton to the Community Resource and Wastewater Advisory Commission; seconded by Councilor Burlingame.

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

MOTION PASSED

Discussion: Councilor W. Steere asked why we are not reappointing the chair of the commission.

MOTION was made by Councilor Henry not to reappoint Linda Nichols to the Community Resource and Wastewater Advisory Commission; seconded by Councilor Reichert.

Discussion: Councilor Burlingame replied that there are several members who have resigned due to L. Nichols' misdirection and lack of adequate leadership. Councilor Burlingame stated that he heard her comments today and does not agree with them. Councilor Burlingame referred to the hydro project and stated that if the Commission had come to the Council early on to ask their opinion, they would have advised them that it was not feasible to run power off of Keach Pond and Smith & Sayles. Councilor Burlingame further stated that the Commission did not seek the Council's opinion on other projects. Councilor Burlingame stated his opinion that we need a change of leadership on the Community Resource and Wastewater Advisory Commission.

Councilor W. Steere replied that the Commission did come to the Council regarding water power and had obtained a grant for a study which indicated that it was not going to work. In reference to people leaving the Commission, Councilor W. Steere stated that it is the Commission that elects officers and if they are not happy with the leadership, they should change it. Councilor W. Steere pointed out that all decisions are supposed to be voted upon by all members, not one person. Councilor W. Steere stated that he has a bad feeling about singling out one person from a Commission.

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

MOTION PASSED

Jean Fecteau, Town Clerk, pointed out that there are now three (3) regular positions and two (2) alternate positions to be filled.

MOTION was made by Councilor Burlingame to TABLE the appointments to the Three regular positions and Two alternate positions to the Community Resource and Wastewater Advisory Commission; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

4. Affordable Housing Advisory Board - (2) Two year terms

Councilor G. Steere stated that the reappointment of Linda Laliberte was omitted from the last meeting when the reappointments were made and noted that Linda wishes to be reappointed.

MOTION was made by Councilor Reichert to REAPPOINT Linda Laliberte to the Affordable Housing Advisory Board for a two year term to expire 1/2019; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

Councilor G. Steere stated that this leaves the board with one more opening. Councilor Henry stated that two (2) Talent Bank applications have been received. Councilor Burlingame stated that he would like to table the appointments until the Council has spoken to the potential candidates.

MOTION was made by Councilor Burlingame TABLE the appointment to the Affordable Housing Advisory Board; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

VIII. New Business

A. Boards & Commissions

1. Appointment - Discussion and/or action
  - a. Gloucester Housing Authority  
One 5-yr term to expire 07/2017

MOTION was made by Councilor W. Steere to TABLE the appointment to the Gloucester Housing Authority for a term to expire 7/2017; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

- b. Board of Tax Assessment Review  
One 6-yr term to expire 12/2022

MOTION was made by Councilor Burlingame to TABLE the appointment to the Board of Tax Assessment Review for a term to expire 12/2022; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

- B. Department Appointments: Terms Concurrent with Town Council - Discussion and/or action
  - 1. Financial Analyst

Councilor G. Steere stated that this appointment was omitted from the Department Appointments for terms Concurrent with the Council made at the last Council meeting.

MOTION was made by Councilor Burlingame to APPOINT Jaclynn DiPietro to the position of Financial Analyst for a term to expire 1/2019; seconded by Councilor Henry.

Discussion: None.

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

MOTION PASSED

- C. Financial Town Referendum - 2017 Dates- Discussion and/or action

Jean Fecteau, Town Clerk, stated that she has written a narrative that has been used successfully for the past two (2) years. J. Fecteau stated that she will have the Town Solicitor review it before the Council adopts it. J. Fecteau stated that she has been working on potential dates for the Referendum and the meetings that precede it. J. Fecteau stated the starting point, per the Charter, is the Budget Board must submit the Budget to the Town Council by March 16, 2017. J. Fecteau stated that there will be a workshop with the Budget Board in February, which would give the Finance Director time to recalculate the figures due to any changes the Council may make. J. Fecteau stated that she has discussed with the Council the Saturday public hearing that has been held at the school in

April, noting that it has not been very well attended and may not be necessary. J. Fecteau stated her opinion that it would be worth it if there were large crowds. There was discussion concerning having the Public Hearing at the Town Hall. J. Fecteau stated that the only date she would like the Council to set tonight is the Referendum date. J. Fecteau stated that she has tried to mirror the state's election cycle by having the Referendum on a Tuesday, and suggested one of two dates, May 16<sup>th</sup> or May 23<sup>rd</sup>, 2017. J. Fecteau stated that there is a lot to do on the Board of Canvassers end prior to the Referendum to get the process going.

Councilor W. Steere commented that he feels the earlier the better, in the event that the Budget does not pass and the Council has to present another proposed Budget. There was Council consensus to hold the Financial Town Referendum on May 16, 2017.

MOTION was made by Councilor Burlingame to set the 2017 Financial Referendum date as May 16, 2017; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

Council thanks J. Fecteau for her work putting these proposals together.

D.     Technical Assistance - Grow Smart RI - Discussion and/or action

Councilor G. Steere stated that the Council has received correspondence from Grow Smart RI regarding technical assistance.

Karen Scott, Town Planner, stated that the Providence Water Supply Board has set aside funding to assist Glocester, Foster and Scituate in protecting the character of the communities and preserving their water quality. K. Scott stated that the funds were passed through to Grow Smart RI, who has some background in working with rural communities. K. Scott then explained that Grow Smart notified the towns that the money is available with no matching funds required, the only commitment they are looking for is to work with the Planning Board and legal staff to develop some Ordinance and Comprehensive Plan language on two (2) topics of our choice that are land use and water quality based. K. Scott stated that Grow Smart would be the primary research vehicle to come up with some recommendations and the proposed ordinances would then follow the same path as other ordinances, public hearing and Town Council approval with no requirement to pass the Ordinances. K. Scott stated that the topics offered include conservation development regulations, farm accessory businesses, low-impact development and village development. K. Scott stated that if the Council is interested, the Planning Board would decide on the topics to pursue, then we would enter into a more formal agreement with Grow Smart.

Councilor W. Steere asked what specifically does the money pay for. K. Scott replied that it pays for Grow Smart's resources to do the majority of the research. K. Scott noted that Scott Millar

from Grow Smart would put the language together and our obligation would be to review and “tweak” the Ordinance at different Planning Board workshops. K. Scott stated that Scott Millar is on the Exeter Planning Board and is retired from the Department of Environmental Management where he spent most of his career looking at conservation development. Councilor W. Steere commented that S. Millar provided input when we were working on conservation development a long time ago.

K. Scott stated that the Planning Board strongly felt that Conservation Development and Farm Accessory Business are the topics they would like to pursue.

Councilor Burlingame expressed his opinion that Grow Smart is like an octopus with poisonous tentacles and if they, as a State appointed group, want to help us maintain our community’s character, they wouldn’t shove affordable housing down our throat. Councilor Burlingame stated that he does not trust them.

Councilor Henry agreed with Councilor Burlingame and stated that Grow Smart and other non-profit organizations have a political agenda. Councilor Henry questioned the term “conservation management”, stating that if you are into conservation, why do you have to manage it?

K. Scott stated that this funding is available through the Providence Water Supply Board and Foster and Scituate have taken them up on the offer and have chosen two (2) topics to look at. K. Scott noted that if Gloucester declines the offer, Grow Smart will probably go back to Foster and Scituate and allow them to pick a third topic.

Councilor W. Steere stated that he has a level of distrust for this organization, however if this is something that we could leverage to clean up some things with the recommendations of the Planner and Planning Board, it may not be a horrible idea.

Councilor G. Steere stated that the Council probably came in tonight thinking that we would say “Thanks, but no thanks”, but we have a great Planning Board with dedicated members, and if we could limit the items for discussion, maybe we should think about it.

Councilor Henry asked for a review of the two (2) topics the Planning Board is recommending. K. Scott stated that the Planning Board is interested in Conservation Development, which is in the Subdivision Regulations and the Zoning Ordinance, and Accessory Uses on Farm Businesses.

Councilor Reichert stated that it has been said that Providence Water is a big business that will sell its properties to a private developer, putting their interest first and ours second. Councilor Reichert stated his opinion that they are not trying to do us a favor, but looking out for their own benefit.

Councilor Henry asked if we are approaching a deadline on this matter. K. Scott stated that the offer was made last year and Grow Smart is anxious to know if we want to take them up on the funding.

Councilor G. Steere noted that the last Conservation Development that went through took about three (3) years because there were many little things that weren't spelled out and needed to be tweaked. Councilor G. Steere stated that this is an area that needs to be cleaned up.

Councilor W. Steere agreed, stating that our Planning Department, Planning Board and Legal Department will be very busy going forward and these are two (2) areas of concern.

Jean Fecteau, Town Clerk, asked the Planner if the Council says yes, would she come back with a contract for them to review so they will know exactly what it entails. K. Scott replied in the affirmative. Councilor W. Steere stated that they could say no at that time if they are not comfortable.

Councilor W. Steere asked Tim Kane, Town Solicitor, if he sees any downside to this offer. T. Kane replied in the negative, stating that conservation does need some work and our resources are limited. Councilor G. Steere asked if this is an Ordinance that the Planning Board would vote on themselves, or does it come to the Council. T. Kane replied that it would come to the Council for adoption. J. Fecteau, Town Clerk, stated that it is part of the Code and would require a Public Hearing. T. Kane stated that we do not need to discuss that tonight.

MOTION was made by Councilor Burlingame to direct the Town Planner to come back to the Council with a formal agreement regarding Technical Assistance for Grow Smart RI; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

E. Personnel

1. Tax Assessor Appointment - Discussion and/or action

Councilor G. Steere read the following a recommendation from Diane Brennan:

To: The Honorable Town Council  
From: Diane L. Brennan, Finance/HR Director  
Re: Town Assessor Position  
Date: January 13, 2017

I spoke with Lori Desantis and I am happy to report she has accepted the position as offered for the Town Assessor.

Lori comes with much experience as the deputy tax assessor in a neighboring Rhode Island community. Her knowledge in the field is well received and the transition to a new assessor should

be relatively seamless. I am excited to welcome Lori to Gloucester and I am anxiously awaiting for her to be part of our staff.

The terms of her employment are as outlined in her offer letter. She will be paid a starting salary of \$58,000 with a \$1,000 increase after six months and an additional \$1,000 after one year. The position includes a full benefit package. Her start date is February 13, 2017.

Lori has been told of the council meeting on January 19, 2017 for council action for her appointment.

(End of memo)

Discussion: None.

MOTION was made by Councilor Reichert to APPOINT Lori Desantis to the position of Tax Assessor for the Town of Gloucester at a salary of \$58,000 with a \$1,000 increase after six months and an additional \$1,000 after one year. The position includes a full benefit package, with a start date of February 13, 2017; seconded by Councilor Burlingame.

Discussion: None.

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

MOTION PASSED

- F. Transfer of Funds - Town Council Contingency Fund - Discussion and/or action
  - 1. Establishment & Funding of (Human Services) Emergency Fund

Councilor G. Steere read the following correspondence from the Finance Director:

To: Honorable Town Council Members  
From: Diane L. Brennan, Finance, H/R Director  
Memo: Establishing an Emergency Fund  
Date: January 18, 2017

Currently there is a need in the town for emergency assistance during a temporary crisis for town residents. The Director of Human Services is responsible for administering two funds that address specific items related to fuel assistance and food supplies for Gloucester residents. The human service director also receives funds from donors for these two purposes. All funds are deposited as designated by the donor. It has come to light that not all situations fit within those two categories. At this time, I recommend \$500 from the council contingency as start up funds to establish an additional category of emergency assistance in the human services department. Emergency assistance for town residents would be for those situations that arise due to unforeseen temporary circumstances. An example of an emergency situation may be for the temporary displacement of a resident due to building code violations. At the time of the event a temporary solution would be found for a resident until a more permanent resolution is obtained. This start up amount would be

available for emergencies outside of the fuel and food designations. Donors could also specify the use of their funds to this general category to be used at the Human Services Director's digression. Guidelines and a screening process are in place with the existing programs, and this would continue in use of emergency funds.

(End of memo)

Discussion: Councilor W. Steere asked Tim Kane, Town Solicitor, if he feels comfortable with how this account would be set up. T. Kane replied that he does not see a problem with it. Councilor W. Steere commented that there is a need, stating that some of our employees went above and beyond to help somebody recently.

MOTION was made by Councilor Burlingame to AUTHORIZE the creation of an additional emergency assistance fund in the Human Services Budget and to AUTHORIZE the transfer of \$500 from the Town Council Contingency Fund to the emergency assistance fund; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

G. Code of Ordinance Amendment Proposal - Marijuana Cultivation - Discussion and/or action

Councilor Burlingame explained the reason for this is that Massachusetts recently passed a law regarding marijuana cultivation and we don't know what will happen here in Rhode Island. Councilor Burlingame stated that he is concerned because we do not have an Ordinance in place. Councilor Burlingame recommended that the Council stop this thing dead in its tracks until we find out exactly what is going on with the State.

Councilor Burlingame stated that the Federal Government has outlawed marijuana and he would rather we comply with Federal Law. Councilor Burlingame stated his opinion that State Law should not conflict with Federal Law. Councilor Burlingame stated that the town of Lincoln took all their zoning districts and said no to every one regarding marijuana cultivation until the State Law and Federal Law get sorted out. Councilor Burlingame stated that he would like to take the same position rather than pick and choose where it would be allowed. Councilor Burlingame stated that he would like the Council to direct the Solicitor to draft an Ordinance which prohibits the five (5) definitions; Compassion center, Marijuana store, Non-residential cooperative cultivation, Residential cooperative cultivation and Personal marijuana cultivation; in all of our zoning districts until we get further guidance.

Councilor Reichert stated that the State revised the law on Jan. 1<sup>st</sup>, which states that a person must pay between \$5,000 and \$30,000 to get a license to grow marijuana.

Joseph DelPrete, Chief of Police, stated that this is to prevent cooperatives from coming in to residential zones to get one of those licenses. Chief DelPrete stated that the Department of Business Regulations can allow us to regulate that at the local level. Chief DelPrete stated he will arrange for the Assistant Attorney General to attend the next Council meeting to answer any questions. Chief DelPrete stated that we should get in front of this so people cannot get grandfathered in because we don't have an Ordinance.

Councilor Burlingame asked the Chief if he would support this approach. Chief DelPrete replied most definitely, from a law enforcement perspective.

Councilor W. Steere asked what would be the first step in the process. T. Kane stated that he and the Planning Board can put something together and in meantime the Attorney General's office can do their presentation.

Chief DelPrete commented that the policy from the State House has failed miserably, stating that there has been more crime, even here in Gloucester.

MOTION was made by Councilor Burlingame to AUTHORIZE the Town Solicitor, in conjunction with the Town Planner and Planning Board, to draft an Ordinance regarding marijuana, including the definitions, to say no in all districts; seconded by Councilor W. Steere.

Discussion: Councilor W. Steere stated that this is a zoning solution right now and asked if Federal Law supersedes State Law when it come to zoning. There was further discussion regarding cooperatives and personal marijuana cultivation.

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

MOTION PASSED

- H.     Authorization for Signature - Discussion and/or action
  - 1.     CSSLP (Comm. Septic System Loan Program)  
          Non-restoring - Line of Credit Promissory Note: Between the Rhode Island Infrastructure Bank & the Town of Gloucester

Tim Kane, Town Solicitor, asked that this item be continued because the attorney from the RI Infrastructure Bank would like the Council to do a Resolution as well as an opinion from the Solicitor that all loan documents are in accordance with the law.

MOTION was made by Councilor W. Steere to TABLE until the next Town Council meeting the authorization for signature - the Non-restoring, Line of Credit Promissory Note between the Community Septic System Loan Program and the Town of Gloucester for the principal sum of \$300,000, dated January 19, 2017; seconded by Councilor Burlingame.

Discussion: None.

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

MOTION PASSED

IX. Town Council Correspondence and/or Discussion

- A. Councilor G. Steere stated that a resignation was received from Walter Bienieki as the Town of Gloucester's Veterans Affairs Officer. Councilor G. Steere noted that Mr. Bienieki served in this capacity for the past 15 years, as well as on the State Advisory Council. There was Council consensus to send a letter of appreciation to Mr. Bieniecki.
- B. Councilor G. Steere stated that a request for financial support was received from the Northern Rhode Island Conservation District. Councilor G. Steere commented that all of the State funding has been cut, which is ironic since this organization exists and functions by State mandate.
- C. Councilor G. Steere stated that a request was received from the Town of Scituate regarding the assistance of Ken Johnson while they search for a Building Official. Tim Kane, Town Solicitor, recommended that this be placed on the next agenda for discussion. Councilor G. Steere noted that Scituate has covered for us many times and has assisted us with engineering. Councilor G. Steere stated that Ken Johnson is busy with our own zoning matters. K. Johnson stated that although he would like to be able to help them out as one town to another, the Council will have to sanction if they want him to get involved. Councilor W. Steere stated that there are other towns with more resources that could help out. Councilor Burlingame stated that Scituate created their own mess. Councilor Reichert received a call from someone stating that they have two (2) candidates and asking if K. Johnson could participate in the interview process. Tim Kane stated that correspondence cannot be voted on and the Council should limit their discussion. K. Johnson stated that he will inform Scituate that we cannot get involved at this time.
- D. Councilor G. Steere stated that correspondence was received from the RI Emergency Management Agency regarding Gloucester's Hazard Mitigation Plan. Councilor G. Steere asked if this should be referred to Jason Rhodes, EMA Director.
- E. Councilor G. Steere stated that correspondence was received from Senior Services, Inc. asking for a donation of \$4,000, stating that in 2016, 1,809 meals were served at the Senior Center, as well as 1,227 meals served to homebound residents of Gloucester. Councilor Henry stated that they came before the Budget Board last year and she believes that the Town funded \$2,500.

Jean Fecteau, Town Clerk, stated that she has received several requests and has forwarded them to the Finance Director and the Budget Board. J. Fecteau stated that

she will include them in the Council's packet for their Public Hearing so that if the Budget Board chooses not to fund, the Council will have the final say.

Councilor Henry stated that last year, the Budget Board discussed setting a certain amount, such as \$10,000 or \$15,000, for aid requests and would then evaluate all the requests that come in.

F. Councilor G. Steere stated that correspondence was received from the Trust regarding pre-employment physicals.

G. Councilor W. Steere stated that the wreaths have been taken down from the period lights in the Village and he wished to thank Matt Salisbury and his family for their help. Councilor G. Steere noted that the supplier of the wreaths has been paid.

X. Department Head Reports/Discussion

None.

XI. Bds. and Commissions Reports/ Discussion

A. Roy Anderton, of the Community Resource Commission, stated that new things keep coming up all the time and he looks forward to serving at the Council's pleasure in the future.

B. Walter Steere, Jr., School Committee member, gave the Council an update regarding recent budget meetings at the Region. W. Steere, Jr. stated that the increase proposed is a little under 1%. W. Steere, Jr. noted that the overall spending is going up \$700,000 to \$800,000, however the appropriation to the Town is a .96% increase. W. Steere, Jr. further stated that he has heard that we should be on the "good side" of student apportionment this year.

W. Steere, Jr. stated that the bond has been refinanced, which will save about \$250,000 this year. W. Steere, Jr. noted that the ESCO bond, which still has a few years left on it, is going up every year.

Councilor G. Steere asked where the \$800,000 will come from. W. Steere, Jr. replied that much of it will come from the Pathway students' tuition. Councilor G. Steere stated that last year the amount of tuition had quadrupled from what was in the Budget. W. Steere, Jr. stated that we had 63 students last year, 5 of whom will graduate this year. W. Steere, Jr. stated that we will be adding 8 new students for a total of 66. W. Steere, Jr. stated that the tuitioned-in students from the State pay about \$18,000 each and there are several Chinese students who will pay about \$15,000 because they don't take all of their classes there. Councilor G. Steere asked if the State changed the rate because he thought it was \$16,500. W. Steere, Jr. stated that there is a problem because some of the checks coming in from the other districts are not for the full amount.

Councilor Henry commented that of all the career/tech programs, our tuition is the highest. W. Steere, Jr. stated that we will receive the full \$18,000 this year, but after that we will only get what it would cost to educate the students in their own districts, so we will start to lose tuition money.

Councilor Burlingame asked if we are being sued by Coventry. W. Steere, Jr. replied that he does not believe so and stated that several of our children go to Coventry because they have some programs that we do not have. Councilor Burlingame asked if there are any lawsuits filed by other communities. W. Steere, Jr. stated that he does not think there is a lawsuit yet, but three or four different communities have sent us a letter telling us how much they are going to pay us. Councilor Burlingame asked if we have received any correspondence from a law firm. W. Steere, Jr. replied that he is not aware of any. Councilor Burlingame asked W. Steere, Jr. to keep an eye on the name of the law firm if he find anything out. W. Steere, Jr. stated that he knows what law firm represents the districts that sent us the letter. Councilor Burlingame asked if one of the School Committee members is a partner in that law firm. W. Steere, Jr. stated that he would prefer not to comment.

Councilor W. Steere stated that if we are not going to be paid the same amount next year, it will create a structural deficit that the taxpayers will have to make up. W. Steere, Jr. stated that he feels that it won't be a problem next year, and we could make it up by bringing in a few more students.

Councilor G. Steere stated that the Region is going to spend \$800,000 more this year and our appropriation will go up 1%. Councilor G. Steere asked W. Steere, Jr. what will be done with the 1.2 million dollars in tuition coming in. W. Steere, Jr. replied that it will cover a lot of things; the 1% increase is about \$146,000 and the Superintendent is adding more to Capital to bring it to 2%. W. Steere, Jr. stated that the rest of it is reduction of State aid. W. Steere, Jr. also pointed out that health care has gone up 10%.

W. Steere, Jr. stated that the Public Hearing will be at the February meeting and the Budget will be voted on at the March meeting.

Councilor Henry commented that last year, the Superintendent told the Council that the Budget would come in at zero this year. W. Steere, Jr. noted that there is a new Resource Officer in the Budget and there has been talk about hiring a full-time Athletic Director.

Regarding the Pathways Program, W. Steere, Jr. stated the other communities are not happy that they have to pay so much money and will probably form their own programs or there could be a lawsuit.

Councilor Henry noted that our Schools' ranking has dropped from third to twenty-fifth in the State and asked what we are doing to improve it. W. Steere, Jr. replied that he does not put a lot of credit in these rankings because it all depends on what they are looking at. Councilor Henry stated that she feels it is important because when people move to Gloucester they pay attention to school ranking because they are going to be paying all these taxes. Councilor Henry stated that she would like the School Committee to address that.

XII. Open Forum

A. Marie Sweet, of Chestnut Hill Road, spoke about Rose LaVoie, stating that the Heritage Society wishes to memorialize her in some way. M. Sweet suggested that something be placed at the new pavilion since Rose was interested in the development of the Kent Property.

M. Sweet stated that there should be public education regarding the citizens' responsibility to vote on the Budget. M. Sweet noted that people moving into Town have no idea about Financial Town Meetings and the Budget process. Councilor W. Steere stated that this is a good point because in other towns, it is the Council or the Mayor that determine the final Budget.

XIII. MOTION was made by Councilor W. Steere to Seek to Convene to Executive Session Pursuant to R.I.G.L. 42-46-5 (a) (2) Collective Bargaining: Contract Negotiations; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

XIV. Reconvene Open Session (Disclose votes taken in Executive Session)

MOTION was made by Councilor W. Steere to SEAL the minutes of Closed Executive Session and to disclose that no votes were taken; seconded by Councilor Burlingame.

Discussion: None.

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

MOTION PASSED

XV. Union Contract ratification: Local 638, I.B.P.O. (Police Dept.) - Discussion and/or action  
MOTION was made by Councilor Burlingame to ratify the Police Contract, subject to final review; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

XVI. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 10:17 p.m.; seconded by Councilor Reichert.

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

MOTION PASSED