

At a meeting of the Town Council holden in and for the Town of Gloucester on March 16, 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; Susan Harris, Deputy Town Clerk; Joseph DelPrete, Chief of Police; Diane Brennan, Finance Director; Gary Treml, Director of Public Works; Ken Johnson, Building/Zoning Official; Karen Scott, Town Planner; Anthony Parrillo, Recreation Director, and Judy Branch, Director of Human Services.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum - For Agenda Items

None.

V. Public Hearings

A. Gloucester Code of Ordinance - Discussion and/or action

Proposed amendments related to Medical Marijuana:

1. Chapter 350, Article 1, Section 5 Definitions
2. Chapter 350, Article II, Section 11 Table of Use Regulations, subsections 1 & 8

Councilor G. Steere stated that this Public Hearing was advertised in the Valley/Breeze Observer on March 2nd & 16th; and the Woonsocket Call on March 11, 2017.

Councilor G. Steere DECLARED the Public Hearing OPEN and read the following Planning Board opinion into the record:

Medical Marijuana Zoning Ordinance Revision
REVISED Advisory Opinion of the Planning Board March 6, 2017

After careful consideration and discussion, the Gloucester Planning Board hereby recommends that the Town Council enact revisions to the Gloucester Zoning Ordinance as detailed in the attached Draft Section 350-5 and Section 350, Attachment 1, Medical Marijuana Zoning Ordinance revision, dated 3/6/17 attached hereto. Said revisions further define terms related to medical marijuana and update the Table of Use Regulations. The Board recommendation in this regard is based upon the following Findings of Fact Relating to Consistency with the Gloucester Comprehensive Community Plan and Purposes of Zoning per RIGL Title 45 Chapter 24, 'the Zoning Enabling Act of 1991' as noted below.

Findings of Fact

Consistency with the Comprehensive Community Plan

1. The proposed amendments are consistent with Goal 1 of the Land Use Element: Preserve, enhance and protect Gloucester’s rural character and sense of place.
2. The proposed amendments are consistent with Goal 2 of the Land Use Element: Encourage responsible land use decisions by public officials and public bodies.

Consistency with the Purposes of Zoning

The Planning Board finds that the proposed zoning amendments are consistent with the following general purposes of zoning ordinances per RIGL § 45-24-30:

1. Promoting the public health, safety and general welfare.
2. Providing for a range of uses and intensities of use appropriate to the character of the city or town and reflecting current and expected future needs.
3. Providing for orderly growth and development which recognizes: (I) The goals and patterns of land use contained in the comprehensive plan of the city or town adopted pursuant to chapter 22.2 of this title;

In making this recommendation, the Board has considered the following:

1. Discussions held at the February 6, 2017 regular meeting;
2. Discussions held at the March 6, 2017 regular meeting; and
3. Medical marijuana ordinances from other Rhode Island municipalities;

A motion was made to recommend approval of the attached zoning ordinance language by Jeanine Pitocco, seconded by Lynn Furney. Motion was approved 5 (Furney, Pitocco, Folcarelli, Gross, DeGrange) – 1 (Charette).

NOTE: The attached ordinance proposed by the Planning Board recommends the addition of three more definitions:

MARIJUANA CULTIVATION CENTER

Any entity that, under state law, may acquire, possess, cultivate, manufacture, deliver, transfer, transport or supply marijuana, medical or otherwise, to a registered compassion center, or other entity authorized to dispense marijuana.

MARIJUANA EMPORIUM

Any retail or commercial establishment, or club, whether for-profit, non-profit, or otherwise, at which the sale or use of marijuana, medical or otherwise, takes place. This shall include without limitation any so-called “vape lounge”, or any other establishment at which marijuana, medical or otherwise, is consumed in vaporized form. This shall not include a compassion center or medical marijuana cultivation center regulated and licensed by the State of Rhode Island, as defined herein.

MARIJUANA TESTING PROVIDER

Any entity that, under state law, may perform independent testing of marijuana or marijuana products, medical or otherwise.

These three additional definitions are also proposed to be included in the Table of Use and noted as NO under each zone.

(End of Planning Board recommendation)

Councilor G. Steere stated that anyone wishing to speak must come up to the microphone when called and state their name for the record before speaking.

Discussion:

1. Lewis Pryeor, resident, stated that he spoke at the Planning Board meeting regarding care-giver cultivation. L. Pryeor stated that he was a CNA for Homefront Health Care and Mr. Pryeor described patients he had, in Gloucester, that smoked marijuana for different medical reasons but could not grow it themselves. L. Pryeor stated that his mother, who is now 85 years old, had stage 4 cancer in the 1980's and she used marijuana while undergoing chemotherapy and radiation. L. Pryeor expressed his opinion that marijuana has beneficial uses for those who have illnesses and it would help them if they could grow it themselves or have their care-giver grow it.
2. Lauren Niedel-Gresh, resident, agreed that care-giver status should be considered. L. Niedel-Gresh stated that we have a huge issue with opioid abuse and people prefer to use marijuana to avoid becoming addicted to opioids. L. Niedel-Gresh stated that it is unfair to people in Gloucester to not have access to something that is proven to be beneficial to help reduce pain.

Councilor G. Steere again asked if anyone wished to speak. Hearing none, Councilor G. Steere DECLARED the Public Hearing Closed.

Councilor G. Steere stated that he attended the Planning Board hearing when this was discussed. Councilor G. Steere stated that he understands Mr. Pryeor's point of view that if a cardholder wishes to grow their own marijuana, they should be allowed to. Councilor G. Steere stated his personal opinion that care-givers are allowed to grow quite a few plants and history has shown that people get greedy and sell the extra. Councilor G. Steere expressed his support for the Planning Board's recommendation.

Councilor Reichert stated that in his oil business, he sees a lot of marijuana growing in people's basements. Regarding care-giver cultivation, Councilor Reichert stated his opinion that if it is done right, he agrees with it, but the greediness is an issue. Councilor Reichert stated that he would go along with care-giver cultivation if it is done correctly and is properly enforced.

Councilor Burlingame commented that federal law says that it is not legal and if a person tries to get a job and does not pass the test, they are done. Councilor Burlingame stated that the State has made it legal to acquire marijuana for medical purposes, but questioned why the Town of Gloucester has to submit its residents to the potential problems associated with it. Councilor Burlingame gave the example of the family in Greenville where marijuana growing resulted in a fatal house fire. Councilor Burlingame stated that an individual cultivator (cardholder) is allowed 2½ ounces of marijuana and expressed concern that the excess would be sold to our kids. Councilor Burlingame stated his recommendation is to say no across the board and not agree with the one that the Planning Board approved. Councilor Burlingame stated that if medical marijuana is found to be fine, people should get it elsewhere and it should not be grown in our town. Councilor Burlingame mentioned recent drug busts in Gloucester where marijuana was being grown where there were children in the house. Councilor Burlingame reiterated that he is opposed to growing marijuana in our community.

Councilor Henry stated that from a safety standpoint, there are many ramifications. Councilor Henry stated that if we are to say yes to any of this, there should be some language added that we would have strong requirements, such as fire, building and electrical inspections. Councilor Henry noted that the federal government still says it is illegal and she wants to be in step with the federal level. Councilor Henry stated that if someone needs marijuana for medical reasons, it is still available in the state. Councilor Henry commented that she cared for someone with a rare form of cancer for 3½ years and stated that she was in no shape to take on the growing of marijuana. Councilor Henry expressed concern that we would open ourselves up for possible economic personal benefit.

Councilor G. Steere asked Tim Kane, Town Solicitor, if we adopt what the Planning Board has recommended, what could we require for the cultivation of marijuana. T. Kane replied that Westerly requires building permits and other towns are doing it administratively, but the problems is, who would come in for a permit.

Joseph DelPrete, Chief of Police, stated that the Westerly ordinance addresses all of the issues brought up. Chief DelPrete stated that at the Attorney General's press conference, 28 Police chiefs in attendance were opposed to the legalization of marijuana. Chief DelPrete stated that fire and electrical inspections are key because there are some bad set-ups which would cause safety concerns.

Councilor Henry asked if we would have to add another building and zoning inspector to monitor something that is illegal on the federal level.

Councilor Reichert noted that compassion centers are owned by many former and current state officials or their family members.

Councilor G. Steere stated that the Council has differences of opinion and asked if we are ready to take action tonight. Councilor Burlingame stated that the Council should make a decision, and if they don't agree, they don't agree.

MOTION was made by Councilor W. Steere to ADOPT the amendment to the Gloucester Code of Ordinance, Chapter 350, Article 1, Section 5 Definitions & Chapter 350, Article II, Section 11 Table of Use Regulations, subsections 1 & 8, as proposed, effective upon passage; in making this Motion, the Town Council adopts the Planning Board's findings as to consistency with the Comprehensive Plan; seconded by Councilor Burlingame.

Discussion: Councilor Burlingame stated the he would like to amend the Motion to exclude the individual care-giver provision. Councilor Henry asked Councilor Burlingame if he wants to amend #12 to say no. Councilor Burlingame replied in the affirmative. Councilor Henry seconded the amendment to the Motion.

Councilor G. Steere stated that this amendment would put the definitions in the Zoning Ordinance, but it would not allow any of it. Councilor Burlingame concurred and stated that he is concerned about what will be done with the extra three and a half pounds. Councilor W. Steere stated that the

way the state law was written, it was not about helping people, it was about somebody making money. Councilor W. Steere stated his opinion that there is a need for personal marijuana cultivation for someone who has a card. Councilor W. Steere commented that the Planning Board put a lot of time and effort into their recommendation and he would tend to support it.

Councilor Burlingame suggested that, in the event that the majority of the Council approves it, they look at the strong stipulations in the Westerly ordinance with regard to inspections. Councilor Burlingame expressed concern that the Legislation states that no agency can interfere with caregiver operations which would give the Town no authority or mechanism to control safety.

Councilor Reichert asked Tim Kane if we would be interfering with the H.I.P.A.A. laws. T. Kane replied that it is a land use matter. Councilor W. Steere pointed out that if recreational marijuana is legalized, as it is written right now, we will have no control whatsoever.

Councilor Burlingame stated that Lincoln said no and he wants to take that position also.

Councilor Reichert stated these laws that are being implemented are all a farce for financial gains by the people that set up these grow facilities.

Councilor G. Steere stated that Councilor Burlingame has brought up a lot of good points, but he is big on personal freedoms, adding that there are people who need and use marijuana for medical purposes.

Vote on Amendment:

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

MOTION FAILED

Regarding the Main Motion, Councilor Burlingame asked if it will include all the stipulations regarding zoning and electrical. Tim Kane suggested that Councilor Burlingame withdraw his second, Councilor W. Steere withdraw his Motion, and add the stipulation.

Councilor W. Steere WITHDREW his MOTION and Councilor Burlingame WITHDREW his Second.

MOTION was made by Councilor W. Steere to ADOPT the amendment to the Gloucester Code of Ordinance, Chapter 350, Article 1, Section 5 Definitions & Chapter 350, Article II, Section 11 Table of Use Regulations, subsections 1 & 8, as proposed, effective upon passage; in making this Motion, the Town Council adopts the Planning Board's findings as to consistency with the Comprehensive Plan; and including the regulations as adopted by the Town of Westerly; seconded by Councilor Burlingame.

For the record, Tim Kane stated that these changes were made as part of input at the Public Hearing.

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

MOTION PASSED

- B. Victualing License - Discussion and/or action
 - 1. Melody Hill Country Club (New Corporate Application)

Location of Business: 55 Melody Hill Lane, Gloucester

Councilor G. Steere stated that this Public Hearing was advertised in the Valley Breeze/Observer on February 23rd, March 2nd and March 9th, 2017.

Councilor G. Steere DECLARED the Public Hearing OPEN and stated that anyone wishing to speak must come up to the microphone when called and state their name for the record before speaking.

Discussion: Jonathan Hoenig, applicant, stated that he and his family own and operate Raceway Golf Club at Thompson Speedway in Thompson, CT, and have been working with the Delfino family over the last 8 months to acquire Melody Hill Country Club. J. Hoenig noted that renovations and improvements have been taking place in the clubhouse, restaurant and golf shop. J. Hoenig stated that they are excited to become part of the community.

Councilor G. Steere again asked if anyone wished to be heard. Hearing none, Councilor G. Steere Declared the Public Hearing Closed.

MOTION was made by Councilor Reichert to GRANT the Issuance of a Victualing License to:
Melody Hill Country Club (New Corporate Application)
Location of Business: 55 Melody Hill Lane, Gloucester

contingent upon: 1) payment of all Town taxes; 2) Building/Zoning approval as needed; 3) Police approval and/or Fire inspection as needed; 4) Health Department approval; 5) Food Manager Certificate; 6) 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 W. Steere.

Discussion: None.

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

MOTION PASSED

Councilor Henry welcomed the applicant and wished him good luck.

- C. Liquor License Transfers - Discussion and/or action
 - 1. CLASS B-V RETAILER
 - FROM: Melody Hill Country Club, Inc., Dianne Delfino, d/b/a
Melody Hill Country Club, 55 Melody Hill Lane

TO: Tri State Golf LLC, Jonathan Hoenig, Donald Hoenig, d/b/a
Melody Hill Country Club, 55 Melody Hill Lane

Councilor G. Steere stated that this Public Hearing was advertised in the Providence Journal on March 1st and March 8th, 2017.

Councilor G. Steere DECLARED the Public Hearing OPEN and stated that anyone wishing to speak must come up to the microphone when called, please state your name for the record before speaking.

Discussion: None

Councilor G. Steere again asked if anyone wished to be heard. Hearing none, Councilor G. Steere Declared the Public Hearing Closed.

MOTION was made by Councilor Reichert to GRANT the Transfer of a B-V Liquor License

FROM: Melody Hill Country Club, Inc., Dianne Delfino, d/b/a Melody Hill Country Club,
55 Melody Hill Lane

TO: Tri State Golf LLC, Jonathan Hoenig, Donald Hoenig, d/b/a Melody Hill Country
Club, 55 Melody Hill Lane

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) Rhode Island Certificate of Good Standing; 6) Rhode Island Permit to Make Sales; 7) Alcohol Service Certification for all employees; 8) copy of menu; 9) 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

2. CLASS A - RETAILER (CHANGE OF LOCATION)

FROM: Christy's Liquors, Inc., Kevin J. Kitson, d/b/a Christy's
Liquors, 1184 Putnam Pike

TO: Christy's Liquors, Inc., Kevin J. Kitson, d/b/a Chepachet
Village Wine and Spirits, 1116 Putnam Pike

Councilor G. Steere stated that this Public Hearing was advertised in the Providence Journal on March 1st and March 8th, 2017.

Councilor G. Steere DECLARED the Public Hearing OPEN and stated that this transfer is to allow the applicant to move his current license to his new location when completed. Councilor G. Steere stated for the record, a claim against the transfer was submitted by Johnson Brothers of RI and later discharged.

Councilor G. Steere stated that anyone wishing to speak must come up to the microphone when called and state their name for the record before speaking.

Kevin Kitson, Applicant, of 673 Putnam Pike stated that they are in the final stages of moving the business to the former State Police barracks and hope to be in by the third week of May. K. Kitson stated that they plan to close the store at 1184 Putnam Pike and seamlessly open the new location the next business day.

Councilor G. Steere again asked if anyone wished to be heard. Hearing none, Councilor G. Steere Declared the Public Hearing Closed.

MOTION was made by Councilor Reichert to GRANT the Transfer of a Class A- Retailer Liquor License

FROM: Christy's Liquors, Inc., Kevin J. Kitson, d/b/a Christy's Liquors, 1184 Putnam Pike

TO: Christy's Liquors, Inc., Kevin J. Kitson, d/b/a Chepachet Village Wine and Spirits, 1116 Putnam Pike

contingent upon: 1) payment of all Town taxes; 2) Building/Zoning approval; 3) Fire inspection & Police Chief approval; 4) Rhode Island Certificate of Good Standing & R.I. Dept. of Health Certification; 5) Rhode Island Permit to Make Sales; 6) Alcohol Service Certification for all employees; 9) Rhode Island B.C.I. check; this license shall be for the interior of the premise only and is valid to November 30, 2017; this will become effective upon the opening at the new address, 1116 Putnam Pike; 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 February 16th & March 2, 2017, and the minutes of a Council & Budget Board joint workshop of February 22nd, 2017
- B. Tax Assessor's Additions & Abatements - February 2017

C. Finance Director's Report - February 2017

MOTION was made by Councilor Reichert to APPROVE the Town Council regular meeting minutes of February 16th & March 2nd, 2017 and the minutes for the workshop of February 22nd, 2017; to APPROVE the ADDITIONS to the 2016 Tax Roll in the amount of \$617.38, the 2015 Tax Roll in the amount of \$608.30, the 2014 Tax Roll in the amount of \$598.68, the 2013 Tax Roll in the amount of \$494.89, the 2012 Tax Roll in the amount of \$495.13; no ABATEMENTS for February; and to ACCEPT the Finance Director's Report for February 2017; 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 - Terms concurrent with Town Council- Discussion and/or action

1. Recreation Commission - One expired term

Councilor G. Steere stated that we have received a talent bank application from Jamie LaRose for Recreation.

Councilor Henry stated that the candidate is a middle school teacher and coach, and was recommended by Anthony Parrillo, Recreation Director, to be appointed to the Commission.

MOTION was made by Councilor Henry to APPOINT Jamie LaRose to the Recreation Commission for a 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

2. Community Resource and Wastewater Advisory Commission - Three expired terms & Two Alternate terms

Councilor W. Steere asked to table these appointments, stating that the Commission will be having a meeting to discuss its direction.

MOTION was made by Councilor W. Steere to TABLE the appointments to the Community Resource & Wastewater Advisory Commission; seconded by Councilor Burlingame.

Discussion: None.

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

NAYS - 0

MOTION PASSED

B. Rules/Regulations: Pavilion Use - Discussion and/or action

Councilor G. Steere stated that Councilor Henry has given Council some suggestions for the use of the Pavilion on the Kent Property.

Councilor Henry read from a list of guidelines and suggestions she has put together:

The Recreation Department would oversee the use of the Pavilion. Persons/Town Boards or Committees interested in using the Pavilion will do so thru the Recreation Director.

That the Pavilion be used for the enjoyment or education of the entire public but shall not be used for private events (birthday parties, family reunions, etc.).

Councilor Henry added that people could have their casual celebration but with the understanding that no one could be excluded.

Councilor Henry stated she didn't believe the Town would want to "rent out" the pavilion.

Councilor Henry gave examples of possible uses such as Town concerts, informational programs or Town celebrations. Councilor Henry stated the Heritage Society had mentioned a use such as a fair to view historical items.

Councilor Henry stated that the Council may want to prohibit alcoholic beverages on the property.

Councilor Henry suggested that the Recreation Department maintain a calendar of events to post on the Town's website and that a placard/sign be placed on site with contact information regarding the use of the Pavilion.

Trash removal and use of the bathroom will be discussed.

Councilor Henry stated that there should be discussion regarding the bathrooms, whether they should remain locked unless an event is scheduled. Councilor Henry noted that she thinks they should be open for people who are walking through Town. Councilor W. Steere stated that the public facilities at Gloucester Memorial Park have been vandalized and the type of facility at the Pavilion is not made for heavy usage. Councilor Burlingame agreed that they should be locked unless there is an event.

Councilor Henry suggested that the Public Works Department be responsible for trash removal and maintenance such as mowing, sweeping and seasonal plantings.

Councilor Henry welcomed suggestions/comments.

Councilor Burlingame asked Councilor Henry to pursue the subject of the responsibility laying with the Recreation Department.

Anthony Parrillo, Recreation Director, spoke regarding the summer concerts, stating that he would have to see about things such as parking and the electricity source. A. Parrillo stated that this summer's concerts are already scheduled at the Church, but suggested that we have another concert at the Pavilion to try it out. A. Parrillo stated that it would make sense for the Recreation Department to oversee the Pavilion as it is a recreation facility. Regarding the 4th of July Road Race, it was stated that the Church makes more sense logistically. A. Parrillo spoke regarding personal use, stating that people use the beaches for birthday parties in the summer, but they are aware that it is a public facility that will not be closed down for their exclusive use. A. Parrillo suggested that the same approach be taken for the Pavilion. Councilor Henry asked A. Parrillo for his opinion regarding the informational sign. A. Parrillo replied that this would open it up as an invitation and stated that if someone is interested, they would probably call the Town Hall and be referred to the Recreation Department.

There was discussion regarding whether the facility is only for Gloucester residents. Councilor G. Steere stated that it is something that will have to "morph" into place as we go. Councilor Henry stated that the Council has made some headway tonight in determining that the Recreation Director is willing to take this on, that Public Works will hold the key to the bathrooms, and that we will need signage prohibiting alcohol.

Councilor G. Steere stated that he doesn't want Public Works to spend time cleaning up people's mess and suggested having some type of cleaning deposit.

A. Parrillo asked if grant money was used for the Pavilion, stating that if State grant funds were used, we cannot restrict the use to Gloucester residents. Tim Kane, Town Solicitor, stated that he will look into it.

Tom Sanzi stated that he feels that the Pavilion will be a positive thing for the Town and gave several suggestions for maintenance.

Lauren Niedel-Gresh asked that some of the grant money be used to install bike racks for people who would like to walk around the Village. Councilor G. Steere replied that the grant money is used up but stated that a bike rack would be a good idea and suggested possibly someone would donate the funds for a bike rack.

C. Community Resource & Wastewater Advisory Commission - Consideration and/or

Recommendations for the amendment of existing Commission charge - Discussion and/or action

Councilor W. Steere asked that this item be tabled.

MOTION was made by Councilor W. Steere to TABLE Item VII. C. regarding the Community Resource & Wastewater Advisory Commission; seconded by Councilor Henry.

Discussion: None.

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

NAYS - 0

MOTION PASSED

VIII. New Business

A. Budget 2017/2018- Discussion and/or action

1. Presented by Budget Board and/or Finance Director

Greg Agnone, Budget Board chair, stated that the Budget Board unanimously agreed to submit for adoption the Budget that the Council received today. G. Agnone stated that the Budget reflects the Feb. 22nd Budget Board/Town Council joint meeting and incorporates the adjustments made at the last Town Council meeting on March 2nd.

G. Agnone noted that the increase to the taxpayers is .78%, but the caveat is that the Regional School District has their Financial Meeting next week and the budget won't be in its final form until the School Budget is set. G. Agnone stated that the proposed budget will then be available to the public. G. Agnone stated that the Public Hearing is scheduled for April 17th where questions can be asked regarding the Budget.

Councilor Burlingame asked if the regional number reflects what the School Committee is coming forward with at their meeting next week. G. Agnone replied in the affirmative. Councilor W. Steere expressed concern that somebody may decide to raise the Budget. Councilor Burlingame stated that he would like to know what the School Department is doing with the million dollar surplus they have from students who tuition in. G. Agnone stated that he questions what the 2, 3 or 4 year plan will be when there is a reduction in revenue from the Pathways Program. Councilor G. Steere stated that the Superintendent was asked by a School Committee member how this revenue is being spent, but there was no clear answer. Councilor Henry stated that because of that, two (2) School Committee members voted against the proposed School Budget.

G. Agnone stated that last year, the Pathways Program brought in \$600,000 more than was projected, and a Budget Board member suggested that it be put toward this year's Budget and not raise taxes. G. Agnone stated that the Superintendent refused and stated that he knew he could get the 1% increase without any resistance. Councilor Burlingame noted that at last year's meeting, the Superintendent publicly stated there would be no increase this year. Councilor Burlingame stated that the last time the student proration was in our favor, we put aside \$75,000, and suggested that

the Council think about doing that again this year with a portion of the \$250,000 swing.

Councilor G. Steere stated that the Council was waiting to hear from the Chief of Police and the Director of Public Works regarding amounts for Town Hall security and fixing the tennis courts. Councilor Henry stated that when the Council discussed Gloucester Memorial Park, it was stated that it is at a point where it needs attention and we would start at one end and work our way through. Councilor Henry noted that the decision to start with the tennis courts was not a personal agenda on her part. Councilor Henry stated that it would be a shame to let the tennis courts, basketball courts and skate park go, but there is no money in the Capital Budget for Recreation, except \$22,000 for a swing set. Councilor Henry stated something has to be done at the parks and she feels we are doing the right thing. Councilor Burlingame stated that fixing the park is a one-time thing and should not be built into the baseline of the Budget. Councilor Burlingame recommended taking \$70,000 out of the surplus account and move it to Capital for this purpose. Councilor G. Steere stated that it makes sense to start at the tennis court end (as we have to lift the grade) and continue on to the basketball courts and the skate park. Councilor G. Steere stated we aren't starting at that end because Councilor Henry plays tennis. There was discussion concerning how much there is in the surplus account and the Finance Director stated that there is currently \$4.4 million dollars. Councilor Burlingame stated his opinion that we would be okay if we transferred the funds as he recommended. Councilor W. Steere stated we need to get this work done. Councilor G. Steere questioned if we can move forward this way and adjust the number at the public hearing.

Joseph DelPrete, Chief of Police, spoke regarding Town Hall security, stating that there are funds left over in the IT account to get it going but next year he would need \$4,000.

Diane Brennan, Finance Director, asked the Council if they want to add items tonight or wait until the Public Hearing. Tim Kane stated that if the Council has concrete numbers that they want to add to Capital, it could be worked into the Motion. Councilor G. Steere expressed concern that the Budget that the voters will look at before the Public Hearing will not reflect these ideas. Councilor Burlingame pointed out that moving funds from Surplus to Capital will not affect the tax rate.

Councilor G. Steere spoke about the request from the Director of Human Services. D. Brennan stated that she spoke to the Director today and she indicated that she still has funds for the transportation van driver that could be utilized for somebody to help with paperwork a couple of hours a week.

Councilor G. Steere spoke regarding the request from the Library for \$7,500 for a feasibility study which at first he felt was a lot, however he now thinks that it may save us money in the long run. Councilor Burlingame commented that consolidation will save us money and he feels that the study would be a worthwhile investment. Councilor W. Steere agreed.

2. Adjustments by Council and/or Finance Director

MOTION was made by Councilor Burlingame to move \$74,000 from Surplus to Capital; seconded by Councilor Henry.

Discussion: None.

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

MOTION PASSED

3. Council Accepts Budget for Public Hearing of April 17, 2017

MOTION was made by Councilor Henry to ACCEPT the FY 2017/2018 Town of Gloucester Budget as submitted by the Budget Board, for Public Hearing to be held on April 17, 2017. Said budget includes voted Town Council adjustments; any further adjustments of the "Foster-Glocester Region Operations and /or Debt Service" line item may be made following the Foster/Glocester Regional Financial Meeting vote on March 21, 2017. If an adjustment is made to either or both of those line items, due to a majority vote, the 2017/2018 Town Budget Total Expenditures, Revenue, and/or Amount to be Raised by Taxes may be amended to reflect said vote; this Motion is also to include the above Motion (Moving \$74,000 from surplus to capital) voted on by Town Council; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

B. Transfer Station litter - Sand Dam Association - Discussion and/or action

Judy Colaluca, president of the Sand Dam Reservoir Association, expressed concern regarding litter in the area of the Smith and Sayles Reservoir. J. Colaluca explained the property, logistics, and initiatives done at Smith and Sayles Reservoir. J. Colaluca stated that as waterfront property owners the residents of this area pay higher taxes. J. Colaluca stated that when driving down Chestnut Hill Road, you see all kinds of plastic bags, beer cans and other litter along the road. J. Colaluca noted that she is not criticizing the Dept. of Public Works because they do a terrific job. J. Colaluca stated that when plastic bags get into the water, they can choke the fish and other wildlife. J. Colaluca asked the Council for help in this matter.

Eric Lariviere, Board Member, stated that he is fortunate to live on Sand Dam. E. Lariviere stated that he is overwhelmed by the amount of trash along all the roads in Gloucester. E. Lariviere stated that one of the main causes is that people are transporting their trash to the Transfer Station without securing their loads, which is a violation of State law. E. Lariviere stated that we cannot eliminate it, but he hopes we can reduce the problem. E. Lariviere suggested that signs be posted and an ad be placed in the local paper reminding people to cover their trash en route to the Transfer Station. E. Lariviere stated that if we all work together, we can make the Town a cleaner place.

Vincent Lepore, of Chestnut Hill Road, stated that he picks up trash almost every day. V. Lepore stated that if a person does not have a sticker, they cannot dump their trash at the Transfer Station.

V. Lepore suggested that they also not be allowed to dump their trash if they do not have it covered or in a bag. V. Lepore stated that after a while, people will get the idea that they need to cover their trash.

E. Lariviere stated that the Association regularly picks up trash in the area and showed photographs of the amount they recently collected in one day.

Councilor Henry stated that she lives on Chestnut Hill Road and can pick up two huge bags of trash in forty minutes. Councilor Henry stated that this is a problem and is no reflection on Public Works. Councilor Henry stated that one step could be that loads have to be covered and we could also get up signage around town about littering. Councilor Henry noted that there are many nip bottles and beer cans that she feels are deliberately thrown from vehicles.

Councilor G. Steere stated that it is an increasing problem and suggested that the Police stop people to give them a warning.

Councilor Reichert stated we should put something in the newspaper reminding people to cover their loads.

Councilor Burlingame asked if the fence at the transfer station is high enough to keep trash from blowing over.

Gary Trembl stated that you can't stop a plastic bag from blowing over a fence and suggested a ban, similar to other communities.

Councilor W. Steere stated that we have tried signs and ads but people don't listen. Gary Trembl, Director of Public Works, agreed and stated that we've spent thousands of dollars to tell grown-ups what to do. G. Trembl commented that people should take the responsibility to do what they need to do.

Mark Rechter, of Putnam Pike, stated that he picks up litter and recyclables all the way up to Pine Orchard Road and Reservoir Road and stated that he feels that the littering is deliberate. M. Rechter stated his opinion that signage is not effective because people think it doesn't pertain to them. M. Rechter suggested that an Police officer be at the beginning of Pine Orchard Road on weekends to pull over pickup trucks with uncovered loads. M. Rechter stated that a warning should be given that if it happens again, they will be fined.

Councilor G. Steere stated we will see if the Chief can help us out a little bit.

Walter Steere, Jr., of Putnam Pike, stated that even if the trash is covered on the way to the Transfer Station, it sometimes blows away when transferring recyclables from the vehicle to the dumpster, especially on windy days. W. Steere, Jr. stated that people should not be stopped if trash is not flying out of their truck.

C. Boards & Commissions - Discussion and/or action

1. Parade Committee

a. 2 Alternate members to Regular Members - Discussion and/or action

Councilor G. Steere stated that the Clerk has received a request from the Parade Committee Chair asking that two alternate members be moved up to regular member positions.

MOTION was made by Councilor Reichert to MOVE Parade Committee Alternate members #2 Kathy Rickert-Houghton to Regular member position #5 & Alternate #3 James Houghton to Regular member position #8; seconded by Councilor Burlingame.

Discussion: None.

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

NAYS - 0

MOTION PASSED

IX. Town Council Correspondence /Discussion

A. Councilor G. Steere stated that Dr. Barnes, Superintendent, is asking for the Council's support regarding increased State Aid for transportation costs.

B. Councilor G. Steere stated that we have a request from the Town of Burrillville to support their Resolution that the State guarantee full reimbursement to towns and cities for any loss of revenue resulting from any changes they may make regarding motor vehicle tax. Add to Agenda

C. Councilor G. Steere stated that correspondence was received from DEM regarding a priority list of water pollution abatement projects we may have for Fiscal Year 2018.

D. Councilor G. Steere stated that a resident is looking for relief from 2 stipulations regarding a building permit on Coniston Street.

E. Councilor G. Steere stated that correspondence was received from the Gloucester Manton Library regarding policies for library use for meetings.

F. Councilor G. Steere stated that correspondence was received from the Blackstone Valley Tourism Council regarding a Resolution to support maintaining the current level of the hotel tax. There was Council consensus to place this Resolution and the Resolution from Burrillville on the next Council agenda.

G. Councilor G. Steere stated that a letter was received from Lt. Gov. Daniel McKee offering assistance regarding consolidation or regionalization of municipal services.

Councilor G. Steere stated that the Lt. Gov. also wants to hear our concerns regarding unfunded and underfunded State mandates.

- H. Councilor G. Steere stated that correspondence was received from Christopher Stanley, Social Studies teacher at Ponaganset High School, regarding an old fashioned New England clambake that will be prepared by the students on Friday, April 28th at 6:00 p.m.
- I. Councilor G. Steere stated that a letter was received from the Rhode Island Infrastructure Bank regarding any wastewater or stormwater projects for which we are in need of financing. Discussion followed on types of projects that may benefit from this program.
- J. Councilor G. Steere stated that correspondence was received from Statewide Planning Program and the RI Commerce Commission regarding potential industrial development sites.
- K. Councilor G. Steere stated that the Council received a letter from the Trust concerning the Use of Force Policy for Police Departments.

X. Department Head Reports/Discussion

- A. Susan Harris, Deputy Town Clerk, stated that a Public Hearing must be scheduled regarding Special Events. S. Harris stated that a letter and application were sent out and three (3) have been completed and returned. S. Harris noted that the Public Hearing must be advertised 10 days prior to the date of the hearing. There was Council consensus to schedule the Public Hearing for April 20th. S. Harris stated the applicants will be notified of the date of the hearing.

Susan Harris stated that in Council correspondence there is a request for relief from stipulations placed on an Exception to the Ordinance Regulating the Issuance of a Building Permit. S. Harris asked if this should be an agenda item or if it requires a Public Hearing. Tim Kane, Town Solicitor, stated that the requirements were put in place as part of a Public Hearing, therefore to remove the stipulations, a Public Hearing would be required. There was Council consensus to schedule the Public Hearing for April 20th.

- B. Joseph DelPrete, Chief of Police, stated that there is a full-time dispatcher vacancy for which 25 applications were received. Chief DelPrete stated that interviews were conducted and they have narrowed it down to 2 or 3 candidates. Chief DelPrete stated that he would like to have someone appointed before the next meeting to allow for a training period.

XI. Bds. and Commissions Reports/ Discussion

None.

XII. Open Forum

- A. Lew Pryeor stated that at the last Town Council meeting, there was a brief discussion regarding the skate park, whether it will stay or go. L. Pryeor asked what was decided. Councilor G. Steere stated that it was talked about, but the Council did not vote on it. L. Pryeor stated that if we do away with the park, kids will be riding their skateboards on public property and at the new pavilion. Regarding security for that area, L. Pryeor suggested that a camera be installed and signs be put up stating that the kids have to leave the park at a certain time. Councilor G. Steere stated that the problem is not as bad as it was a few years ago and the Council has decided to spruce up Gloucester Memorial Park, including the area of the skate park. L. Pryeor commented that he has looked at the tennis and basketball courts and feels that the basketball court should have priority because it is used by more people.

L. Pryeor spoke regarding the Senior Center, stating that money should be allocated for painting and a new freezer. L. Pryeor expressed his opinion that the seniors will be affected by budget cuts nationwide and we should look after the seniors in our town.

- B. Mark Rechter stated that there has been a lot of discussion on social media with regard to Gloucester Memorial Park. M. Rechter stated that he uses the park often because his property borders the park, and commented that over the years, it has deteriorated. M. Rechter stated that the tennis court is hazardous. M. Rechter stated that the Monday night basketball league no longer exists and the only people that use the basketball court is a Burrillville league. M. Rechter stated that the park is a nice facility but improvements must be made. Regarding the lights at the park, M. Rechter requested that they be turned off no later than 10:00 p.m. and that a Police officer come by at 10 minutes later to make sure the park is vacated. M. Rechter also suggested that a dog park be located at the park.

- C. Kathy Rechter, 1218 Putnam Pike, stated that she has been on the Senior Center Board of Directors since 2010. K. Rechter stated that the charge given to the Board by the Town Council is to make decisions for the management, use, operation and maintenance of the facility, including installation of furniture and equipment. K. Rechter stated that the Senior Center is 10 years old and is falling apart. K. Rechter stated that she was not present at the last Council meeting, and she has not been able to get the minutes or the budget figures that were discussed, but rumor has it that many of the things that need to be done have been slashed in the Budget.

Councilor W. Steere stated that the minutes had not been approved until tonight. K. Rechter asked that the Senior Center Board be advised of the Council's decisions. Councilor G. Steere stated that the minutes were approved tonight and are now available. K. Rechter questioned if they can ask for something to be put back in.

Councilor G. Steere replied that they can do that at the Public Hearing on April 17th.

Councilor Burlingame noted that there is a \$9,000 to \$10,000 increase in the Senior Center Budget. Councilor Burlingame commented that things get distorted through social media. Councilor Burlingame stated that he is the liaison to the Senior Center and he can further explain the Budget to K. Rechter.

- D. Jim Houghton, member of the Senior Center Board of Directors, stated that he was present at the last meeting and stated that the Council completely eliminated the funds for paint and new furniture. Councilor G. Steere explained that this is Open Forum and Council cannot respond. J. Houghton stated that there is a leak in the front foyer of the Senior Center which they have been waiting over a year to have repaired. J. Houghton expressed concern that there will be a problem with mold which will make the seniors sick. J. Houghton stated that if we can spend \$140,000 on tennis courts, we can spend a few extra dollars to fix up the Senior Center.
- E. Lauren Niedel-Gresh stated that Earth Day is April 22nd and asked if it would be possible to have a community clean-up to get people involved in sprucing up different areas. Councilor W. Steere stated that the Conservation Commission typically does something on Earth Day.
- F. Lew Pryeor again spoke about the Senior Center budget, stating that the \$5,000 that was requested for paint and furniture was cut, and the \$5,000 requested for mechanical and equipment was reduced to \$2,500. Councilor G. Steere again stated that this is Open Forum and the Council cannot comment.

XIII. Seek to Convene to Executive Session Pursuant to:

- A. R.I.G.L. 42-46-5 (a)(2) Litigation - Discussion and/or action
Town of Glocester vs. Robert & Shana Grenga, Superior Court Civil Action
PC -2017-0693.

MOTION was made by Councilor W. Steere to Convene to Executive Session Pursuant to: R.I.G.L. 42-46-5 (a)(2) Litigation - Discussion and/or action, Town of Glocester vs. Robert & Shana Grenga, Superior Court Civil Action, # PC -2017-0693; 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 Reichert to Reconvene Open Session, to Seal the Minutes of Executive Session, and to Disclose that no votes were taken; seconded by Councilor W. Steere.

Discussion: None.

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

NAYS - 0

MOTION PASSED

XV. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 10:25 p.m.; seconded by Councilor W. Steere.

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

NAYS - 0

MOTION PASSED