

At a meeting of the Town Council holden in and for the Town of Gloucester on September 7, 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: Jean Fecteau, Town Clerk; Timothy Kane, Town Solicitor; Diane Brennan, Finance Director; Joseph DelPrete, Chief of Police; Gary Trembl, Director of Public Works; Karen Scott, Town Planner; Jane Steere, Tax Collector; Lori DeSantis, Tax Assessor; Robert Shields, Recreation Director; and Melissa Bouvier, Senior Center Director.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum - For Agenda Items

- A. Hank Reagan spoke regarding the taxation of dock rights. H. Reagan stated the definition of “intangible” and quoted RI General Law 44-3-2.1 as follows: “Notwithstanding any other provisions of the General Laws to the contrary, no city or town shall assess any tax on intangible personal property”. H. Reagan stated that he received a letter from Vision Government Solutions today regarding his appeal to the Tax Assessor, stating that it has been denied. H. Reagan stated that we was told this was enacted as a taxing right in Gloucester in 2001. H. Reagan spoke about DEM’s restrictions regarding docks. H. Reagan stated that the value of his dock went from \$300 to \$4,000, as did all of the docks on Keach Pond. H. Reagan commented that any good lawyer could make this a class action lawsuit. H. Reagan stated they picked an arbitrary amount of \$4,000 and this amount will only go up.

Councilor G. Steere thanked H. Reagan for his comments and stated that this will be coming up later on the agenda.

V. Consent Items - Discussion and/or action

- A. Approval of Town Council meeting minutes of August 17, 2017

MOTION was made by Councilor Henry to APPROVE the Town Council meeting minutes of August 17, 2017; seconded by Councilor Burlingame.

Discussion: None.

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

MOTION PASSED

VI. Unfinished Business

A. Boards & Commissions

1. Appointment - Discussion and/or action

a. Budget Board

One 3 year term to expire 1/2018

MOTION was made by Councilor Henry to APPOINT David Steere to the Budget Board for a 3 year term to expire 1/2018; seconded by Councilor Burlingame.

Discussion: Councilor G. Steere thanked Councilor Henry for working with David Steere to fill this position.

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

MOTION PASSED

b. Land Trust appointment

One five year term to expire 02/2022

Councilor G. Steere stated that the Council has received a recommendation from the Chair of the Land Trust recommending David Piccirillo to fill the position vacant on the Land Trust. Councilor G. Steere stated that a talent bank application has been filed in the Clerk's Office and forwarded to the Town Council.

MOTION was made by Councilor Reichert to APPOINT David Piccirillo to the Land Trust for a five year term to expire 02/2022; seconded by Councilor Burlingame.

Discussion: None.

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

MOTION PASSED

B. Town Employee, Department Head Hiring Processes - Discussion and/or action

Councilor W. Steere stated that the Town Clerk brought up some points regarding Open Meetings and will work with the Finance Director and Town Solicitor on this matter. J. Fecteau, Town Clerk, stated that they should be ready by the next meeting.

MOTION was made by Councilor W. Steere to TABLE the Town Employee, Department Head Hiring Process until September 21, 2017; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

VII. New Business

A. Use of Pavilion: Gloucester Business Association

1. Waiver of Pavilion Rules & Regs. - Discussion and/or action

Councilor G. Steere stated that Councilor Henry requested this item and the President of the GBA, Vinny Lepore, is also present to explain what they are looking for.

Discussion: Vinny Lepore stated that Trick or Treat on Main Street is a free event sponsored in total by the Gloucester Business Association for the children of Gloucester and Foster. V. Lepore commented that it is not a fund-raiser and both GBA members and non-members will be able to participate. V. Lepore stated that last year's event was a success with over 450 people registering for the event. V. Lepore stated that this year, they have designated two (2) start and end points, the Purple Cat Winery and the Pavilion at Kent Field, to alleviate some of the congestion that was experienced last year. V. Lepore stated that in exchange for an optional donation of canned goods for the Gloucester Food Pantry, the children will be given a map and a trick or treat bag to go to the registered businesses for candy. V. Lepore stated that after the map is completed with a tag from each location, the child will go to the end point and receive a raffle ticket and a bag of Halloween novelties. V. Lepore stated that parents will also be given a bag of coupons and/or flyers from local businesses. Mr. Lepore stressed this is a family event.

V. Lepore stated that he has spoken to the Chief of Police regarding having two (2) Police details, one at the Purple Cat Winery and the other at the Pavilion. V. Lepore requested waivers from the Pavilion Rules and Regulations which would allow the GBA to distribute coupons and promotional items at the Pavilion, as well as the Purple Cat Winery and throughout the Town, and to close off the parking lot at the Pavilion to make the area safe for the children. V. Lepore noted that the event is from 12:00 to 3:00 but they would like to get there at 11:00 a.m.

V. Lepore stated he has contacted the Recreation Director for use of the pavilion and that is all set. that he would like to set up the electronic message board to promote the event several days before. V. Lepore stated that the GBA is hoping that the Chief will donate one of the Police details. V. Lepore stated there will be banners hanging up, self-sustained in front of the wall, but not on the Pavilion.

Councilor Burlingame asked if the only things V. Lepore is looking for are the promotional items and the parking lot. V. Lepore replied in the affirmative.

Councilor Henry commented that she attended the event last year with her grandson and it was wonderful to see all that activity in the Village. Councilor Henry thanked all those involved.

Councilor W. Steere asked if the Fire Department has been notified as far as public safety. V. Lepore replied in the negative but stated that he will do so.

Councilor Henry stated that the bathroom facility will be open but asked the Council if they felt there would be a need for Porta-Potties. There was Council consensus that they would not be necessary.

MOTION was made by Councilor Henry to waive the Pavilion at Kent Field - Rules & Regulation #N for an event to be held by the Gloucester Business Association on Saturday, October 28, 2017 from the hours of approximately 11:00 a.m. to 4:00 p.m., and to give the GBA permission

to close the parking area, during that event, to secure the area; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

Councilor G. Steere wished V. Lepore good luck at the event.

B. Resolution: Conservation Commission - Ratify 2017/2018 Hunting Regulations  
Williams Mills Conservation Area - Discussion and/or action

Councilor G. Steere explained that in 2005, Factory Mutual sold land to the town for one dollar with the restriction that it be used for public purposes such as recreational, park, or open space. Councilor G. Steere stated that in 2009, the Council designated the Conservation Commission as the steward of the property and each year the Conservation Commission submits its rules and regulations for approval.

Councilor G. Steere noted that the only changes proposed in last year's rules are removing specific dates, so that rules and regulations can be used from year to year; and the requirement that deer tags or wild turkey permits are needed to get a permission card, because D.E.M. does not offer those cards at the same time each year.

Councilor G. Steere stated that also adopted in 2009 was the administrative policy explaining how residents can get their permission cards. Councilor G. Steere stated that the Clerk and the Conservation Commission recommend removing the "fourth Tuesday of September" from that policy so that rule can remain the same every year.

MOTION was made by Councilor Reichert to AMEND, as noted, and ADOPT the 2017-2018 Rules & Regulations and the Administrative Policy for the Williams Mills Conservation Area, under the stewardship of the Conservation Commission; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

C. Taxation: Town classifications & taxation of certain types of property and/or rights  
Discussion and/or action

Councilor Burlingame stated that until Mr. Reagan brought this up at the last Council meeting, he did not know that this situation existed. Councilor Burlingame stated that he has an unbuildable lot on Keach Pond with a handmade dock that probably cost \$250 to build. Councilor Burlingame stated that he and his two (2) neighbors are each being assessed \$4,000 for the right to have a dock.

Councilor Burlingame stated that the Tax Assessor did some research and the revaluation company came back with some rationality that was, in his opinion, an absolute "cop-out". Councilor Burlingame stated that the specific issue is tangible vs. real property. Councilor Burlingame stated

that he can see if the dock is attached to the ground, but if it comes out every year, it is not considered real property.

Councilor Burlingame stated that he and the Town Clerk contacted other towns and Scituate does not have “dock rights”, and in Burrillville it is 70% of the value and, in some cases, they are called a shed instead of a dock.

Councilor Burlingame stated that on a Statewide basis the State reimburses cities and towns for debt service based upon what they call valuation for each city and town. Councilor Burlingame stated that one would think that the people that are doing the revaluation would have a standard system so that all the cities and towns are being valued in the same way, because if not, you could have a disproportionate share of debt service for the regional schools. Councilor Burlingame stated that because it is so inconsistent, his recommendation is to turn this over to the Solicitor and have him confer with the Tax Assessor.

Councilor Burlingame commented that it was a cop-out on the part of the company that did the revaluation, where because they could not determine the size of any dock they just classified them all and put a blanket \$4,000 levy against everybody. Councilor Burlingame expressed that he is really upset over this taxing of rights and the Council should turn it over to Legal to come back with a recommendation. Councilor Burlingame stated his personal opinion that if it was up to him, he would eliminate them all.

Councilor Henry pointed out that the people that are living on the water are already being assessed higher and this is almost like a double tax. Councilor Henry further stated that “intangible” is anything that is not nailed down, which is why people have above-ground pools rather than in-ground pools which are taxable. Councilor Henry stated her opinion that this is totally unfair and should not be legal.

Councilor Reichert noted that a dock can only be used three (3) or four (4) months per year because the pond get lowered, making the dock unusable.

Hank Reagan stated that Rhode Island Law says you cannot tax intangible property, period, end of story. H. Reagan stated that he could hire a lawyer and make a class action lawsuit, not against the Town, but against this real estate company.

Councilor Henry commented that the two (2) revaluation companies that the State gave cities and towns to use for revaluation are already under investigation. Tim Kane, Town Solicitor, stated that there were some problems in Barrington concerning waterfront assessments.

Councilor G. Steere stated that he read the report from the revaluation company which stated the reason is that a dock may be unsafe to measure, which is ridiculous in his opinion. Councilor G. Steere stated that to tax people on their rights is totally ridiculous. Councilor G. Steere disputed that the Town decided in 2001 to tax dock rights. Councilor Burlingame noted that he was on the Council in 2001 and it never came before them. Councilor G. Steere stated that the Council should find out if we have the right to do away with it because, as far as he is concerned, the Town of Gloucester is not going to start taxing people on their rights to have or do something.

Councilor W. Steere stated that he agrees with what everybody has said, but stated that there will be a financial impact. Councilor Burlingame stated that it would be the next Fiscal Year because we cannot do anything about it this year.

MOTION was made by Councilor Burlingame to turn the issue of taxation of dock rights over to the Town Solicitor to discuss the issue with the Tax Assessor, and come back to the Town Council with a recommendation which will solve this problem permanently; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

D. Consultant Support

1. Allocation of funds for consultant support (to assist in review of the Old Chepachet Village Comprehensive Permit) - Discussion and/or action

Karen Scott, Town Planner, stated that the applicants have presented several expert witnesses, such as a wetlands biologist and a geologist, among others. K. Scott commented that it is important for the Planning Board to be properly equipped with a thorough analysis of the application and the testimony that they have heard. K. Scott requested authorization to compile a team of consultants which could cost up to \$10,000, noting that this is not in the Planning Board's budget.

Councilor W. Steere stated his opinion that we need to be "all in" to make sure that we cover all bases, however he questioned the funding source.

Councilor Burlingame stated that the recommendation is to take it out of the Council Contingency Fund, noting that there is \$11,000 in the account. Councilor Burlingame commented that this would not impact other departments' budgets.

Councilor G. Steere agreed that we have to be all in because the impact of this application is very important. Councilor W. Steere stated that \$10,000 is a small amount compared to what the project could do to our town. Councilor G. Steere noted that the Council typically has not spent the Contingency Fund and feels that this would be a good use for it. Councilor G. Steere stated that time is of the essence as we only have a few months before a decision is made. Councilor G. Steere reiterated that this is very important.

MOTION was made by Councilor W. Steere to AUTHORIZE the allocation of funds from the Town Council Contingency Account, in an amount not to exceed \$10,000. Said funds to be expended for fees incurred by the hiring of professional consultants to review the Old Chepachet Village Comprehensive Permit filed on July 12, 2017; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

2. Authorization to enter into a contract (as needed) for consultant support -  
Discussion and/or action

Councilor G. Steere stated that authorization for the Finance Director and/or the Planner is needed to sign contracts with these consultants, as they will probably be needed before the next Council meeting.

Discussion: None.

MOTION was made by Councilor Reichert to AUTHORIZE the Town Planner and/or the Finance Director to enter into agreement with professional consultants; said consultants to assist with the review of the Comprehensive Permit filed by Old Chepachet Village; said contracts not to exceed, in total, the amount of \$10,000; seconded by Councilor Burlingame.

Discussion: Councilor W. Steere asked Tim Kane, Town Solicitor, if the Town Planner and Finance Director need to come to the Town Council for approval of the contracts. T. Kane replied that this motion authorizes the Town Planner to act on the Council's behalf.

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

MOTION PASSED

- E. Transfer of funds - FY 2017  
Discussion and/or action

Councilor G. Steere read the following request from the Finance Director regarding the transfer of funds:

TO: Honorable Town Council Members  
FROM: Diane L. Brennan, Director of Finance/ HR  
DATE: September 5, 2017  
RE: Transfers and Supplements

Attached please find recommendations to approve for transfers and supplements for the Fiscal 2017 Budget. The first spreadsheet indicates departmental savings by line item that have been realized during fiscal 2017. The second spreadsheet indicates the salary shortfall by department that have resulted in the subsequent actions taken for employees. The fiscal 2017 budget was prepared assuming employee increases. As contracts were not final, the result of the actions taken as compared to the budget was a shortfall in some departments. Departments in all cases have covered the salary shortfall with departmental savings.

There were two departments that expenses exceeded the budget appropriations. The **Personnel Department** and the **Legal Department**. There were several positions vacated this year requiring greater than budget expenses for advertising. The savings to cover the advertising costs has been identified in the **finance** office education and training line item account. The legal department has also experienced greater than budgeted expenses due to a lengthy case. The other operational expenses line item for unemployment cost and postage expenses have been less than budgeted and these savings will cover the excess. The amounts are indicated on the page 3 of the attachments.

Based on the charter provision§ **CI5-8\_Transfer of accounts and appropriations**, I propose the recommendations for transfers as described. The budget in total has not changed. The most significant changes are the increase in the Personnel department by \$1,500 and a reduction in the Finance Department by the same; and an increase in the Legal Department by \$4,524 and a reduction in Other Operational Expenses by the same.

(END OF MEMO)

Discussion: None.

**MOTION was made by Councilor Reichert to TRANSFER** funds from FY 2017 as follows:

FROM: Acct. # 01-030-2087 Finance, Education & Training \$1,500  
# 01-082-2066 Other Operational Exp., Postage \$2,524  
# 01-082-2266 Other Operational Exp., Unemployment Insurance \$2,000

TO: Acct. # 01-032-2060 Personnel, Advertising \$1,500  
# 01-021-2115-DO Legal, Legal Services \$4,524

seconded by Councilor Burlingame.

Discussion: None.

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

MOTION PASSED

- F. Personnel
  - 1. Appointment - Discussion and/or action
    - a. Finance Office
      - Full time - Senior Accountant/Financial Analyst

Councilor G. Steere stated that the Finance Director has submitted a request for appointment as follows:

Appointment of Laraine Schofield to the position of Senior Accountant/Financial Analyst.

The position would be 37.5 hours weekly and include a full benefit package. Annual compensation would be \$55,000. This position is subject to the rules of the employee handbook and any charter or ordinance provisions that apply to this position. After a positive evaluation of performance, an increase of \$1,500 at annual anniversary date will continue for a three year period. This will be in addition to any annual increase provided to non-union employees during the budget process. The expected start date is Monday September 25, 2017.

(End)

Discussion: Councilor W. Steere inquired if this position is part of the bargaining unit. Councilor Burlingame replied in the negative. Councilor W. Steere questioned the extra \$1,500 per year. Councilor Burlingame replied that this is an incentive to keep pace with what we are going to have to pay. Councilor Burlingame stated that we lost the last person that was being paid this amount and this is incentive so we can hold onto someone because otherwise they will keep leaving.

Diane Brennan, Finance Director, stated that the bargaining units have step increases that go on over a period of time in 6-month increments. D. Brennan stated that people have left because they do not have any progression for the range of their position. D. Brennan stated that there is nothing else that we have for them. D. Brennan stated that she looks to this as a kind of incentive to try to keep some of these positions here because we are finding that people are leaving.

Councilor W. Steere stated that the Council has had discussions that they are not in favor of step increases. Councilor W. Steere stated that he understands why this is being proposed, but he still questions it.

D. Brennan replied that we are in the time frame right now to try to get us competitive with some of the other neighboring communities that have people whose starting salaries are higher. D. Brennan stated that it is tough to get people to stay here for some of these “kinds” of positions. D. Brennan stated that she feels that this would be a way for people to look to some form of longevity. D. Brennan stated that it is going to be harder and harder to attract people and to keep people here.

Councilor G. Steere commented that business in the private sector has a higher pay scale for a similar job. Councilor G. Steere stated that he knows people in the private sector that do these types of job and they are paid higher salaries. D. Brennan noted that this is probably one of the lowest salaries that this person has ever had. D. Brennan stated that she wants this person to stay but we are up against a situation that is difficult to combat. D. Brennan commented that she feels like she is spinning her wheels trying to get somebody. D. Brennan stated that another thing is that we no longer have longevity payments, which an employee would get after five (5) years. D. Brennan stated we have nothing to keep people here.

Councilor W. Steere stated that he does not want to sound cold-hearted, but it doesn't feel right to him. Councilor W. Steere stated that he understands the situation we are in, but we criticize the schools all the time for doing this type of thing. D. Brennan stated that the schools' starting salaries are higher and that is not even in a different community. Councilor Burlingame commented that secretaries at the schools are making \$75,000.

Councilor Henry stated that as our economy continues to get hot it will be more and more difficult to keep people hired because there are a lot of jobs out there for people to go after as companies are expanding.

Councilor G. Steere noted that this position is not in the bargaining unit, where someone can start as a Clerk 1 and move up to Clerk 2. Councilor G. Steere stated that this is a similar type thing for a non-union position.

Councilor Burlingame stated that this is a good compromise with what we took off the table at the last meeting. Councilor Burlingame stated that there was enough concern that we probably didn't have enough information to come up with ranges for the Department Heads or non-union positions. Councilor Burlingame stated that in this case, it made sense to come in with a plan for some form of step increases. Councilor Burlingame stated that this is a highly capable individual and commented that the individual we had before came to this job for quality of life, but her former employer made an offer she couldn't refuse, basically doubling the salary we were paying her. Councilor Burlingame stated that we are going to be faced with that going forward.

Councilor W. Steere stated that it is a small amount in the scheme of things, but he feels that it would behoove the Council to get a process in place. Councilor Burlingame agreed, stating that we need to come up with a plan for the rest of the non-union people.

D. Brennan stated that we already have situations that we are bringing in new people and we have to offer them a salary that is relatively competitive. D. Brennan further stated that we have people here that have been doing the job and she feels extremely uncomfortable with not paying the people who have done the job.

Councilor Henry stated that this is why we are analyzing this. Councilor W. Steere stated that we need to move on that and figure out where the funding is going to come from. Councilor Henry stated that the Council already set aside funds for Department Heads. Councilor Burlingame concurred, stating that we put \$50,000 in that account and used \$25,000 of it for another position, so we are covered. Councilor Burlingame stated we thought this might happen and that is why we put the money in there.

D. Brennan stated that this is a mechanism that will help “stop the bleeding” and she hopes it will, but it is not a guarantee that it will.

Councilor W. Steere pointed out that he is not against the applicant.

MOTION was made by Councilor Reichert to APPOINT Laraine Schofield to the position of Senior Accountant/Financial Analyst as follows: a full-time employee, effective September 25, 2017, with a full benefit package; annual compensation set at \$55,000 with an increase of \$1,500, after a positive evaluation of performance at annual anniversary date, each year, for a three year period, (in addition to any annual increase provided to non-union employees); said position is subject to the rules of the employee handbook and any charter or ordinance provisions that apply to this position; seconded by Councilor Burlingame.

Discussion: None.

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

MOTION PASSED

#### VIII. Town Council Correspondence /Discussion

- A. Councilor G. Steere stated that correspondence was received from the Office of Housing & Community Development regarding support for the Community Development Block Grant.
- B. Councilor G. Steere stated that a letter was received from Ruth and Ron Barks expressing their sincere thanks to the Chepachet Fire Department for their quick response to a call for assistance regarding an electrical problem at their home.
- C. Councilor G. Steere stated that a complaint was received from neighbors on Hazelwood Drive.
- D. Councilor G. Steere stated that the Council received a petition, from an attorney,

requesting the Town abate property taxes on a mobile home at 10 Woodhaven Drive.

- E. Councilor G. Steere stated that correspondence was received from the Gloucester-Manton Library requesting that the Council appoint a Council member to attend annual Library Council meetings.
  - F. Councilor G. Steere stated that another petition was received from an attorney's office asking the Town to forgive two (2) Gloucester Home Repair loans on a mobile home at 10 Hemlock Drive. Councilor Henry questioned whether the Council can discuss this item. Councilor Burlingame explained that typically a petition to abate taxes would be turned over to the Tax Collector, who has a procedure for this, and it would not come to the Council unless she brings it to them. Regarding the petition to forgive the loans, Councilor Burlingame stated that it is the same; the Council does not have to touch it unless an impasse is reached and it would then come to the Council. Councilor Burlingame noted that the Council has a past practice that loans are not forgiven, so there is no point in having it come to us to be re-hashed.
  - G. Councilor G. Steere stated that a notice was received from the RI Department of Administration, Division of Planning, regarding a meeting at the Gloucester Manton Library on Tuesday, Sept. 12, at 10:00 a.m. to discuss transportation needs and concerns.
  - H. Councilor G. Steere stated that a note was received from St. Eugene's Church stating that on Sunday, Sept. 17<sup>th</sup>, at 10:15 a.m., an Anniversary Mass will be held in memory of the victims of 9/11 and to honor the first responders.
  - I. Councilor G. Steere stated that a letter was received from United Credit Services wishing to place a lien on the Tilted Tavern on behalf of All American Foods, Inc.
  - J. Councilor G. Steere stated that an attorney's letter was received regarding J & D Landscaping asking the Town not to transfer the license of the Tilted Tavern LLC until all obligations to that company are paid in full.
- IX. Department Head Reports/Discussion
- A. Jean Fecteau, Town Clerk, stated that after listening to the Council's thoughts on the role of the Senior Center Board Directors and its involvement with the new Director, she feels that the charge of the Board should be amended. J. Fecteau asked that the Liaison to the Senior Center work with the Town Clerk and the Director to propose the amendment to the charge to be addressed at a future meeting.
- J. Fecteau stated that she gave the Council a memo regarding three (3) boards that are defunct but are still considered Town boards whose members are still required to file with the Ethics Committee. J. Fecteau asked the Council to review her memo and consider some sort of action.

J. Fecteau reported that she has just sent out annual renewal forms for Liquor, Entertainment, Victualing and Special Event Licenses to be heard by the Council in November. J. Fecteau noted that as of today, she has only issued two (2) Special Event Licenses since the Council changed the whole procedure. J. Fecteau stated that Cady's only applied for one (1) which was in June, and the Purple Cat applied for one (1) in April. J. Fecteau noted that Sticks has not applied for any licenses and stated that she does not know why the events held there were not licensed.

Regarding Veterans, J. Fecteau stated that in January she sent the Council a resignation from Walter Bienieki, who has been known for the last 15 years as a Veterans Affairs Officer. J. Fecteau explained that he was there to answer veterans' questions and to assist them in filling out forms from the VA. J. Fecteau stated that the Director of the Rhode Island Veterans Affairs, Kasim Yarn, is asking all cities and towns to appoint someone to be a representative for local veterans. J. Fecteau stated that there are several people who would be interested and Councilor Burlingame asked her to forward the names to the Council.

- B. Councilor W. Steere asked Gary Treml, Public Works Director, for an update regarding work at Gloucester Memorial Park ball field and the Pavilion. G. Treml replied that the grass is coming in at the Pavilion. Councilor G. Steere asked if he has finished at Hazelwood. G. Treml replied in the affirmative and stated that he has also taken care of Snow's Clam Box. Councilor Henry questioned what G. Treml meant by "taking care" of Snow's. G. Treml stated he blocked it off.

Councilor W. Steere stated that his concern about the ball field is that we have a grant and he does not know how long the money will be available. G. Treml stated that the grant goes until the end of October.

Councilor Henry asked about the tennis courts. G. Treml replied that they will be ready in the Spring.

- C. Joseph DelPrete, Chief of Police, stated that he has been working with the EMA Director regarding the very active hurricane season.
- D. Bob Shields, Recreation Director, stated that there is public concern regarding the milfoil growth that is occurring at Spring Grove Pond. R. Shields stated that he has spoken with DEM and the Northern RI Conservation District and has a report from June, 2016 which indicates that over one-third of the pond is covered with milfoil, bladderwort, and flatwort. B. Shields stated that, on the recommendation of DEM, he has contacted Solitude Lake Management, who will send out a biologist to analyze the pond and advise potential treatment options. B. Shields noted that, if left unchecked, we could see some issues with our swimming area at Spring Grove. B. Shields stated that Solitude will provide their services at no charge to the Town.

B. Shields stated that if the problem is treated with herbicide, it could affect the outlets/residents of the area. Councilor W. Steere asked the Solicitor if the Town owned Spring Grove. Atty. Kane did not know. Councilor W. Steere stated, if not, we cannot do a lot without the neighbors approval, but we could go ahead with the

analyst. Councilor G. Steere stated that we do not own the pond and would have to get all of the surrounding residents to approve the treatment. Regarding the cost of treatment, B. Shields stated that he is looking into a conservation grant offered by L.L. Bean if we end up going that route.

Councilor W. Steere asked B. Shields how the summer programs went this year. B. Shields replied that there were weather issues with regard to the concerts, but he did some advertising toward the end to alert the public when the concerts were rescheduled. B. Shields stated that overall, it was a fairly successful summer. Councilor Henry commended B. Shields for his excellent work and his ideas for the future.

X. Bds. and Commissions Reports/ Discussion

None.

XI. Open Forum

- A. Robert Kelman, of St. James Lane, spoke regarding 44 Hazelwood Road, stating that it was on the agenda for the last Council meeting for discussion and/or action and he was disappointed that there was no discussion. R. Kelman stated that it seems that everything was decided in Executive Session, therefore the neighbors did not have any input leaving them to feel disenfranchised. R. Kelman commented that a lot of money was spent on litigation, but it seems like we are right back where we started. R. Kelman expressed his opinion that there are loopholes in the Earth Removal Ordinance and asked if something could be done so that we are not dealing with this again.

Councilor G. Steere stated that this is Open Forum and referred the matter to Tim Kane, Town Solicitor. T. Kane stated that comments must be brief and stated that we have received the complaints and are taking them seriously. T. Kane stated the Building Official has offered to take complaint calls on the weekend if a situation arises.

Councilor Burlingame stated Council has received the message and cannot comment at this time.

R. Kelman stated that the neighbors are pretty disappointed with the final product as the agreement is difficult to police but that the neighbors will continue to monitor the situation. R. Kelman stated this person knew what he was doing and he did exactly what he wanted by using our ordinance against us. R. Kelman suggested that the Council find ways to tighten up the ordinance so this does happen anywhere else in Town.

- B. Allen Schenck, 36 St. James Lane, stated that he would like to echo Mr. Kelman's comments and concerns. A. Schenck questioned why an agreement was made with someone who does not follow cease and desist orders and repeatedly violated court orders. Mr. Schenck stated there was no remedy, in the agreement, for violations.

- C. Lisa Laferriere, 33 Hazelwood Road, stated that she moved here twenty three years ago to raise her son in a peaceful, beautiful community, but her family is now living in a construction zone. L. Laferriere commented that trucks are speeding down the road and the oil they are breathing and the noise is unbearable to the point that she will probably have to move. L. Laferriere explained the impact on her family members. L. Laferriere expressed concern regarding damage to the roads and who was going to pay for them to be repaired. L. Laferriere stated these roads are not meant for this kind of truck traffic. L. Laferriere stated that the agreement has already been violated and nothing is being done about it.
  
- D. Don Simpson, 150 Lake View Drive, spoke regarding two (2) eyesores on Route 44. D. Simpson stated that the old State Line Restaurant is still there and now there is a trailer parked on the property. D. Simpson asked if the Town can put pressure on the people who own this property. Councilor W. Steere stated that the Director of Public Works has blocked it off so vehicles cannot get in. Councilor G. Steere stated that the Council cannot talk about this in Open Forum, but assured D. Simpson that our Zoning Official is doing all he can.

XII. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 8:51 p.m.; seconded by Councilor Reichert.

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

MOTION PASSED