

At a meeting of the Town Council holden in and for the Town of Gloucester on November 15, 2018:

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; Walter M. O. Steere, III; William E. Reichert (arrived at 7:35 p.m.) and Patricia Henry.

Member Absent: Edward C. Burlingame, Vice-President

Also Present: Jean Fecteau, Town Clerk; Tim Kane, Town Solicitor; Susan Harris, Deputy Town Clerk; Diane Brennan, Finance Director; and Gerald Mosca, EMA Director.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum - For Agenda Items

None.

V. Public Hearings

A. 24-HOUR VIRTUALING LICENSE RENEWALS - Discussion and/or action

1. Chepachet Deli & Catering, 842 Putnam Pike
2. Harmony Kitchen, LLC, 401 Putnam Pike

Councilor G. Steere stated that this Public Hearing was advertised in the Valley Breeze/Observer on October 25th, Nov. 1st & Nov. 8th, 2018.

Councilor G. Steere DECLARED the Public Hearing Open and asked if anyone wished to speak for or against the renewal of these licenses.

Discussion: None.

Councilor G. Steere DECLARED the Public Hearing Closed.

Discussion: None.

MOTION was made by Councilor W. Steere to GRANT the RENEWAL of a 24-hour Virtualing License to:

1. Chepachet Deli & Catering, 842 Putnam Pike
2. Harmony Kitchen LLC, 401 Putnam Pike

contingent upon: 1) payment of all Town taxes; 2) Building/Zoning approval as needed; 3) Fire and/or Police approval as needed; 4) current Health Department approval; 5) current Food Manager Certificate; and 6) a current Rhode Island Permit to Make Sales; these licenses shall be for the interior of the premise only and are valid from December 1, 2018 to November 30, 2019; seconded by Councilor Henry.

Discussion: None.

VOTE: AYES- G. Steere, W. Steere and Henry

NAYS-0
MOTION PASSED

- B. VICTUALING LICENSE RENEWALS - Discussion and/or action
1. Aegean Pizza, 1195B Putnam Pike
 2. Burrillville/Glocester Youth Soccer Association, 1407 Putnam Pike (Concession Stand)
 3. Cady's Tavern, 2168 Putnam Pike
 4. Chepachet Farms, 226 Tourtellot Hill Road
 5. DePetrillo's Pizza & Bakery, 1153 Putnam Pike
 6. Dino's Park N Shop, 1020 Putnam Pike
 7. Dunkin Donuts, 1006 Putnam Pike
 8. Gentleman Farmer Restaurant, 617 Putnam Pike
 9. Glocester Little League, 1011 Putnam Pike (Concession Stand)
 10. Harmony Corner Store, 365 Snake Hill Road
 11. Harmony Lodge Restaurant, 102 Putnam Pike
 12. Hill's Tavern and Grill, 417 Putnam Pike
 13. Knight Farm, Farmers Omelette, 1 Snake Hill Road
 14. Melody Hill Country Club, 55 Melody Hill Lane
 15. Mr. Z's By The Lake, 2400 Putnam Pike
 16. Pinewood Pub & Pizza, 16 Terry Lane
 17. Tavern on Main, 1157 Putnam Pike
 18. The Road House Farm, 312 Chopmist Hill Road
 19. The Purple Cat!, 11 Money Hill Road
 20. The Village Bean, 15 Money Hill Road

Councilor G. Steere stated that this Public Hearing was advertised in the Valley Breeze/ Observer on October 25th, Nov. 1st & Nov. 8th, 2018.

Councilor G. Steere DECLARED the Public Hearing OPEN and asked if anyone wished to be heard for or against the renewal of these licenses.

Discussion: None.

Councilor G. Steere DECLARED the Public Hearing CLOSED.

Discussion: None.

MOTION was made by Councilor Henry to GRANT the RENEWAL OF a Victualing License **to all applicants named above** contingent upon: 1) payment of all Town taxes; 2) Building/Zoning approval as needed; 3) Fire and/or Police approval as needed; 4) current Health Department approval; 5) current Food Manager Certificate; and 6) current Rhode Island Permit to Make Sales; these licenses shall be for the interior of the premise only and are valid from December 1, 2018 to November 30, 2019; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

- C. CLASS A - RETAILER - Discussion and/or action

1. Christy's Liquors, Inc., Kevin J. Kitson, d/b/a Chepachet Village Wine & Spirits, 1116 Putnam Pike
2. Kitson's Liquors, Inc., Lisa Kitson, d/b/a Kitson's Liquors, 677 Putnam Pike

Councilor G. Steere stated that this Public Hearing was advertised in the Providence Journal Legal Ads on October 29th & November 5th, 2018.

Councilor G. Steere DECLARED the Public Hearing OPEN and asked if anyone wished to speak regarding these license renewals.

Discussion: None.

Councilor G. Steere DECLARED the Public Hearing CLOSED.

Discussion: None.

MOTION was made by Councilor W. Steere to GRANT the RENEWAL of a Class A - Retailer Liquor License to:

1. Christy's Liquors, Inc., Kevin J. Kitson, d/b/a Chepachet Village Wine & Spirits, 1116 Putnam Pike;
2. Kitson's Liquors, Inc., Lisa Kitson, d/b/a Kitson's Liquors, 677 Putnam Pike;

contingent upon: 1) payment of all Town taxes; 2) Building/Zoning approval as needed; 3) Fire and/or Police approval as needed; 4) current Rhode Island B.C.I. check; 5) current R.I. Health Department approval; 6) current Rhode Island Certificate of Good Standing; 7) current Alcohol Service Certification for all employees; 8) current Rhode Island Permit to Make Sales; 9) Per R.I.G.L., Certificate of commercial, general-liability and property damage insurance for a minimum amount of \$300,000. These licenses shall be for the interior of the premise only and are valid from December 1, 2018 to November 30, 2019; seconded by Councilor Henry.

Discussion: None.

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

MOTION PASSED

D. CLASS B -RETAILER LICENSES - Discussion and/or action

1. Harmony Lodge Restaurant, LLC, Michael Fournier, Catherine Hamill, d/b/a Harmony Lodge Restaurant, 102 Putnam Pike
2. Tri State Golf, LLC, Jonathan Hoenig, Donald Hoenig, d/b/a Melody Hill Country Club, 55 Melody Hill Lane
3. Agios, Inc., Panagiota Arsoniadis, d/b/a Gentleman Farmer Restaurant, 617 Putnam Pike
4. Prickly Pear, Inc., William J. Kapanakis, d/b/a Pinewood Pub & Pizza, 16 Terry Lane, Units #9-13
5. Tyo Ristaino, Corp., Stephen & Robin Tyo & Robert Ristaino, d/b/a Cady's Tavern, 2168 Putnam Pike
6. Hill's Tavern and Grill, LLC, Albert L. Hill, Jr., d/b/a Hill's Tavern and Grill, 417 Putnam Pike
7. Purple Cat Tavern, Inc. Daniel Smiley, d/b/a The Purple Cat!, 11 Money Hill Road

8. Mr. Z's By The Lake, LLC, Nikolas Zarokostas, d/b/a Mr. Z's By The Lake, 2400 Putnam Pike

Councilor G. Steere stated that this Public Hearing was advertised in the Providence Journal Legal Ads on October 29th & November 5th, 2018.

Councilor G. Steere DECLARED the Public Hearing **OPEN** and asked if anyone wished to speak regarding these license renewals.

Discussion: None.

Councilor G. Steere DECLARE the Public Hearing **CLOSED**.

Discussion: None.

MOTION was made by Councilor W. Reichert to GRANT the Renewal of a Class BV Retailer Liquor License to **all applicants named above**, contingent upon: 1) Issuance of a valid Victualing License; 2) payment of all Town taxes; 3) Building/Zoning approval as needed; 4) Fire and/or Police approval as needed; 5) current Rhode Island Certificate of Good Standing, 6) current Rhode Island Permit to Make Sales, 7) current Alcohol Service Certification for all employees, 8) current copy of menu, 9) current Rhode Island B.C.I. check; 10) Per R.I.G.L., Certificate of commercial, general-liability and property damage insurance for a minimum amount of \$300,000; these licenses shall be for the **interior of the premise only with the exception of:**

- 4) Prickly Pear, Inc., William J. Kapanakis, d/b/a Pinewood Pub & Pizza:
- 5) Tyo-Ristaino Corp., Stephen & Robin Tyo and Robert Ristaino, d/b/a Cady's:
- 6) Hill's Tavern and Grill, LLC, Albert L. Hill, Jr., d/b/a Hill's Tavern and Grill:

Stipulations of any outdoor consumption, service, and/or sales remain as previously granted. These licenses are valid from December 1, 2018 to November 30, 2019; seconded by Councilor W. Steere.

Discussion: Councilor Henry questioned why there are three (3) establishments excepted. Councilor Reichert replied that they have previously been approved for outdoor consumption.

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

MOTION PASSED

- E. CLASS BT-TAVERN - Discussion and/or action

1. DLUM Restaurant, LLC, David Lumnah, d/b/a Tavern on Main, 1157 Putnam Pike

Councilor G. Steere stated that this Public Hearing was advertised in the Providence Journal Legal Ads on October 29th & November 5th, 2018.

Councilor G. Steere DECLARED the Public Hearing **OPEN** and asked if anyone wished to be heard regarding the license renewal.

Discussion: None.

Councilor G. Steere DECLARED the Public Hearing **CLOSED**.

Discussion: None.

MOTION was made by Councilor W. Reichert to GRANT the RENEWAL of a Class BT-Tavern License to: DLUM LLC, David Lumnah, d/b/a Tavern on Main, 1157 Putnam Pike contingent upon: 1) Issuance of a valid Victualing License; 2) payment of all Town taxes; 3) Building/Zoning approval as needed; 4) Fire and/or Police approval as needed; 5) current Rhode Island Certificate of Good Standing, 6) current Rhode Island Permit to Make Sales, 7) current Alcohol Service Certification cards for all employees, 8) current copy of menu, 9) current Rhode Island B.C.I. check; 10) Per R.I.G.L., Certificate of commercial, general-liability and property damage insurance for a minimum amount of \$300,000; this license shall be for the interior of the premise only and is valid from December 1, 2018 to November 30, 2019; seconded by Councilor W. Steere.

Discussion: Councilor Reichert mentioned the insurance and stated that it should be for a year. Councilor Reichert stated that the Town should be notified if somebody got insurance but then let it lapse. Tim Kane, Town Solicitor, stated that the Clerk's office made sure that we are named on the certificate and if a policy is cancelled, we would be notified by the insurance company.

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

MOTION PASSED

F. CLASS B - LIMITED - Discussion and/or action

1. Knight Farm, LLC, Joseph Iacofano, d/b/a Knight Farm, Farmers Omelette, 1 Snake Hill Road

Councilor G. Steere stated that this Public Hearing was advertised in the Providence Journal Legal Ads on October 29th, & November 5th, 2018.

Councilor G. Steere DECLARED the Public Hearing OPEN and asked if anyone wished to be heard regarding the license renewal.

Discussion: None.

Councilor G. Steere DECLARED the Public Hearing CLOSED.

Discussion: None.

MOTION was made by Councilor Henry to GRANT the RENEWAL of a Class B-V Limited License to Knight Farm, LLC, Joseph Iacofano, d/b/a Knight Farm, 1 Snake Hill Road; contingent upon: 1) Issuance of a valid Victualing License; 2) payment of all Town taxes; 3) Building/Zoning approval as needed; 4) Fire and/or Police approval as needed; 5) current Rhode Island Certificate of Good Standing; 6) current Rhode Island Permit to Make Sales; 7) current Alcohol Service Certification cards for all employees, 8) current copy of menu, 9) current Rhode Island B.C.I. check; 10) Per R.I.G.L., Certificate of commercial, general-liability and property damage insurance for a minimum amount of \$300,000; this license shall be for the interior of the premise only and is valid from December 1, 2018 to November 30, 2019; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

G. (NEW) LIQUOR LICENSE
CLASS B - RETAILER LICENSE - Discussion and/or action

1. Neutral Zone, Inc., William J. Kapanakis, d/b/a, Cedars Cigar Lounge, 16 Terry Lane, Unit #8

Councilor G. Steere stated that the first time this license was granted was in 2015. Councilor G. Steere stated this applicant has come back for a new license each year since then because, per State Law, if the license requirements are not met within one year's time, the granting is null and void and the applicant has to reapply.

Councilor G. Steere stated that this Public Hearing was advertised in the Providence Journal Legal Ads on October 29th & November 5th, 2018.

Councilor G. Steere DECLARED the Public Hearing OPEN and asked if anyone wished to speak regarding this application.

Discussion: None.

Councilor G. Steere read into the record the following letter from the applicant, who could not be present this evening:

November 14, 2018

Neutral Zone, Inc. dba Cedars Cigar Lounge, a Rhode Island corporation, was issued approval for a Victualing License during the 2018 license year. I ask that the town extend the granting of this license into the next license cycle if we do not meet the required deadline for the renewals. We have not met all the requirements to be issued our class B liquor license that was granted for the 2018 license year and are reapplying for this license.

Thank you in advance for your time and consideration of this proposed business.

William J. Kapanakis
President
Neutral Zone, Inc
(end of memo)

Councilor G. Steere DECLARED the Public Hearing CLOSED.

Discussion: None.

MOTION was made by Councilor W. Steere to GRANT THE ISSUANCE OF a Class BV Retailer Liquor License to: Neutral Zone, Inc., William J. Kapanakis, d/b/a, Cedars Cigar Lounge, 16 Terry Lane, Unit #8 contingent upon:

- 1) Issuance of a valid Victualing License for Unit #8;
- 2) payment of all Town taxes;
- 3) Building/Zoning approval as needed;
- 4) Fire and/or Police approval as needed;
- 5) current Rhode Island Certificate of Good Standing,
- 6) current Rhode Island Permit to Make Sales,
- 7) current Alcohol Service Certification for all employees,
- 8) current copy of menu,
- 9) current Rhode Island B.C.I. check,
- 10) Per R.I.G.L., Certificate of commercial, general-liability and property damage insurance for a minimum amount of \$300,000; this license shall be for the interior of the premise only and is valid from December 1, 2018 to November 30, 2019; seconded by Councilor Reichert.

Discussion: Councilor Henry asked if we are now giving the applicant more time to meet the requirements. T. Kane explained that for the last couple of years, the applicant has applied and paid

all of the fees, but has not opened the business. Councilor G. Steere stated that the applicant is still working on the building.

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

MOTION PASSED

H. CLASS B -RETAILER LICENSE
EXPANSION OF SALES TO OUTDOOR AREA - Discussion and/or action

1. Hill's Tavern and Grill, LLC, Albert L. Hill, Jr., d/b/a Hill's Tavern and Grill, 417 Putnam Pike

Councilor G. Steere stated that this Public Hearing was advertised in the Providence Journal Legal Ads on October 29th & November 5th, 2018 and abutters notices were sent.

Councilor G. Steere DECLARED the Public Hearing OPEN.

Councilor G. Steere stated that the applicant is requesting: An outdoor bar for sales (service) of alcohol (diagram in packet).

Discussion: David D'Agostino, attorney representing the applicant, stated that the applicant is here to request permission to serve, and not just consume, in the outdoor area as defined on the documents submitted with the license application.

Councilor G. Steere commented that the previous owner had outdoor service. Tim Kane, Town Solicitor, stated that he does not know if they had a bar outside or if they allowed their servers to bring drinks outside. Councilor G. Steere stated that he attended a fundraiser there and there was a small bar outside. D. D'Agostino stated that during certain events, they would have a beer tub outside from which a server would operate.

D. D'Agostino stated that the request is weather permitting. Councilor W. Steere asked if it would be a permanent structure and if it would only be beer and wine. Albert Hill, applicant, replied that it would be a seasonal structure and only beer and wine would be served. Councilor W. Steere commented that it might not be a "horrible" idea because there would be a bartender providing supervision.

Councilor G. Steere stated that he spoke with Joseph DelPrete, Chief of Police, regarding this request and the Chief stated that he has no issues with it. Councilor W. Steere pointed out that if there are any problems, it comes back to the Council and it could be revoked.

Councilor G. Steere asked if anyone in the audience wished to be heard for or against this application.

Councilor Reichert asked if the applicant is aware that he has to apply for outdoor entertainment. D. D'Agostino replied in the affirmative and stated that their application is on the agenda under Sections I and J. D. D'Agostino further stated that they are also aware of the Special Event requirements. Councilor Reichert commented that there is always concern for the neighbors because noise travels.

Councilor Henry stated that the applicant is not asking for a Special Event license tonight. D. D'Agostino replied that is correct; they are applying for outdoor service, entertainment and outdoor entertainment. Tim Kane pointed out that this item is only for outdoor service.

Councilor G. Steere CLOSED the Public Hearing and asked the Council if they had any further comments.

Councilor W. Steere stated that he is a little leery because this applicant is new and does not have a track record, but if there are any issues, it comes back to the Council.

MOTION was made by Councilor Henry to GRANT the Class B-Retailer License Expansion of Sales to Outdoor Area, for applicant: Hill's Tavern and Grill, LLC, Albert L. Hill, Jr., d/b/a Hill's Tavern and Grill, 417 Putnam Pike; (with the following stipulations)

1. Beer and wine service only.
2. Bar must not be left unattended. Licensed bartender must be present.

seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

I. ENTERTAINMENT LICENSE - Discussion and/or action

1. Harmony Lodge Restaurant, LLC, d/b/a Harmony Lodge Restaurant, 102 Putnam Pike
2. Prickly Pear, Inc., d/b/a Pinewood Pub & Pizza, 16 Terry Lane, Units #9-13
3. Tyo Ristaino Corp., d/b/a Cadys Tavern 2168 Putnam Pike
4. Hill's Tavern and Grill, LLC, d/b/a Hill's Tavern and Grill, 417 Putnam Pike
5. Mr. Z's By The Lake, LLC, d/b/a Mr. Z's By The Lake, 2400 Putnam Pike
6. Purple Cat Tavern, Inc., d/b/a The Purple Cat!, 11 Money Hill Road

Councilor G. Steere stated that this Public Hearing was advertised in the Observer/Valley Breeze on Nov. 1st, 2018.

Councilor G. Steere DECLARED the Public Hearing OPEN and asked if anyone wished to speak regarding the license renewals.

Discussion: None.

Councilor G. Steere DECLARED the Public Hearing CLOSED.

Discussion: None.

MOTION was made by Councilor Henry to GRANT of an Entertainment License to **all applicants named above**: contingent upon 1) Payment of all Town taxes; 2) Building/Zoning approval as needed; 2) Fire and/or Police approval as needed; these licenses are valid from December 1, 2018 to November 30, 2019 and are subject to the following stipulations:

1. That all entertainment be confined to the inside of the building,
2. That all windows on the premises are kept closed, but not permanently, and that doors are only opened for normal ingress and egress from the premises.
3. That all live entertainment cease at 1:00 a.m.
4. When there is live entertainment, the Town Council, at its discretion, may assign a

supplemental police officer or officers at such time and in such a place as the Town Council deems appropriate and the license holder shall reimburse the Town of Gloucester for the expense of such police officer(s);

and any other reasonable conditions and restrictions as the Town Council may require.

seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

J. ENTERTAINMENT LICENSE

REQUEST FOR OUTDOOR ENTERTAINMENT - Discussion and/or action

1. Hill's Tavern and Grill, LLC, d/b/a Hill's Tavern and Grill, 417 Putnam Pike

Councilor G. Steere stated that this Public Hearing was advertised in the Observer/Valley Breeze on Nov. 1st, 2018 and abutters notices were sent.

Councilor G. Steere DECLARED the Public Hearing OPEN.

Councilor G. Steere stated that the applicant is asking for the following (per his atty): "To follow our meeting from this morning, attached please find the "entertainment license" expansion plan prepared by my clients for 417 Putnam Pike. They would like to expand their entertainment license to add (weather- and seasonal permitting) outside entertainment. The entertainment would be located on the 20' x 16' raised wooden patio depicted on the attached plan.

Their request would be for bands and/or DJs, which would be set up in/on that area and all sound projections would be towards the rear of the property (towards the volleyball court area.)"

Discussion: David D'Agostino, attorney for the applicant, stated that they are here to request outdoor entertainment as set forth in the memo read by the Council president. D. D'Agostino noted that the drawing submitted is similar to the one for the expansion of alcohol sales, but they have identified the area where a DJ or band would be set up.

Councilor Reichert asked how often they wish to have outdoor entertainment, stating that the residents do not want to hear music every weekend. Councilor G. Steere stated that in the past, the Council allowed it every other weekend. Councilor Henry stated that this was for Special Events.

Albert Hill, Jr., applicant, stated that it would be a seasonal thing, weather-permitting, on weekends, during the day, a couple of times per month. Councilor G. Steere asked what time the music would end. A. Hill, Jr. replied that they would like permission for entertainment from noon to 8:00 p.m.

Councilor G. Steere stated that noise travels and even if you don't think you have neighbors, it affects people. Councilor Henry commented that music is subjective and asked if it will be heavy metal, light rock or acoustical. Councilor Henry stated that just saying "music" is open-ended and the neighbors will want to know what type of music is planned. A. Hill, Jr. replied that the genre is more acoustic or bluegrass and more on the mellow side. D. D'Agostino reminded the Council that the Hill family has made a significant investment in town and are gearing their business towards the restaurant aspect as opposed to a bar.

Councilor Henry stated that the applicants will have to nail it down to more specific dates and times. D. D'Agostino stated that they could provide a supplement to the Council.

Councilor W. Steere stated that he would prefer that the entertainment be acoustic with no amplification, because there have been no issues in the past. Councilor W. Steere stated that with DJ's and drums, it becomes subjective and hard to quantify. Councilor W. Steere noted that due to the geography of the area, noise carries and you can actually hear people talking in the parking lot from some of the neighbors' houses.

Councilor G. Steere commented that it would be in the applicant's best interest to stay on top of this and stated that if there is a problem, the Council will address it.

Councilor W. Steere agreed that more details are needed regarding the frequency and type of entertainment. Councilor Henry stated that she would like to see some specific plans once the applicant has finalized booking the musicians.

Councilor W. Steere asked if this would become more of a Special Event. T. Kane replied that it could morph into a Special Event if they are having something they don't normally have, such as a bike run or a car wash. T. Kane stated that he has heard that the applicant wants to have entertainment as a normal course of business. T. Kane stated that the Council, as the Licensing Board, could put any stipulations they wish. T. Kane stated that this could be continued and the applicant could come back with a schedule of entertainment. T. Kane further stated that there are neighbors present who want to be heard.

Councilor G. Steere commented that it is tough to nail down dates because you never know what the weather will be, but the Council could limit it to three (3) of four (4) days per month.

Councilor G. Steere stated that we will now hear from the neighbors:

1. David Piccirillo, of 456 Putnam Pike, stated that his property is located opposite the tavern. D. Piccirillo stated that he is against the outdoor entertainment license for many of the reasons that have already been addressed. D. Piccirillo stated that at night, he can hear everybody in the parking lot during the volleyball games. D. Piccirillo further stated that he is a musician and knows that bands book far in advance. D. Piccirillo noted that the kind of bands the applicant is looking for need amplification or it won't sound right, stating that acoustic with no amplification will not be heard by anybody in the crowd.

Regarding having entertainment every Friday, Saturday and Sunday, D. Piccirillo stated that he would be 100% against that. D. Piccirillo stated that he wouldn't have a problem with holiday weekends. D. Piccirillo again stated that he can hear conversations in the parking lot, but it is quick and goes away, unlike hour after hour of music.

Councilor Reichert concurred with D. Piccirillo and stated that he was told about the problem 10 years ago by D. Piccirillo's daughter.

2. Bob Deroche, of 60 Farnum Road, stated that his house is a mile away from the establishment and the music will be facing in his direction. B. Deroche stated that he does not have a problem with the time frame, noon to 8:00, that the applicants have stated. B. Deroche stated that he appreciates that they will go to 7:00 or 8:00 at night and be done, and supports them doing it within the parameters that they have stated. B. Deroche stated that he wouldn't want it every night of the week, but he has no problem with the request as presented.

3. Missy LaPlante, of Absalona Hill Road, stated that she has lived there for over 20 years. M. LaPlante objected to the music, whether at night or during the day, stating that it impedes on her happiness. M. LaPlante stated that she does not have a problem with acoustic, but not every weekend. M. LaPlante stated that in 20 years, the only complaints she has had have been regarding that building and the previous owners. M. LaPlante stated that when that business closed, it was the quietest it has ever been, but now the new owners want to take up where they left off.

Albert Hill responded by saying that he understands but in that regard, he has turned away the motorcycle activity and has spent a fortune turning around the atmosphere. Regarding the outdoor entertainment, A. Hill stated that they wish to be respectful to the neighborhood which is why they have limited the days and hours. A. Hill pointed out that they are asking for 12:00 to 8:00, but nobody will play for 8 hours; it may be 12:00 to 4:00 one day and 4:00 to 8:00 another day. A. Hill further stated that it will not be every day on the weekend but just once a week.

Councilor Reichert asked if Mr. Hill will also want Special Events. A. Hill replied that he does not know where this business will take them. Councilor Reichert explained that they are two (2) separate things; the applicant could come back to request a special permit for a motorcycle run. Councilor Reichert stated that the neighbors are the Council's number one concern.

4. Robin Tyo, owner of Cady's Tavern, stated that they have dealt with the problems the applicant is dealing with, due to the way the neighbors were treated by the previous owners. R. Tyo stated that it took a long time, but she closes the outdoor bar early and has acoustic music from 2:00 to 6:00 p.m.

Councilor Reichert noted that the last time Cady's Tavern was before the Council, the Lake Association backed them because they took what was there and turned it around. Councilor Reichert stated that the applicants must prove themselves.

D. D'Agostino stated that if the Council wants to see a more detailed idea of dates and times, the applicant can provide that and come back at the next meeting. Councilor Reichert stated that the Council needs more information. Councilor Henry agreed that it is important for us to have dates outlined so we and the Police Chief to know what is going on.

D. D'Agostino asked, in terms of notice requirements, for consideration to continue this hearing to a date certain to eliminate any further advertising. Councilor Reichert stated that a motion could be made to continue the hearing without prejudice. Councilor W. Steere stated that before a motion is made, we should have some clarity between the Town Council and the applicant. Councilor W. Steere asked T. Kane if the applicant has outdoor music one or two days per month, does that fall under Special Events and should they be looking at it that way. T. Kane replied that if they are just doing it in the ordinary course of business, that is what they are limited to right now.

D. D'Agostino stated that they are not asking for a Special Event license at this time, but he cannot say that they never will ask for it. D. D'Agostino noted that the Hills have undertaken an investment and are trying to turn away from the atmosphere that was there prior to them taking over. Councilor W. Steere stated that he looks at it as a "clean slate" but the Council has no history with the new owner. Councilor W. Steere again stated his opinion that once or twice a month fall more to a Special Event. T. Kane replied that, based on our definition of Special Event, it would have to be a major sporting tournament, fund raiser, car wash or

bike run. T. Kane stated that they want to do their normal business, but have entertainment outside.

Councilor G. Steere commented that Robin Tyo had “words of wisdom” and advised the applicant to try to scale it down to a couple of times a month. Councilor G. Steere further stated that if they came to the Council for a Special Event, it would not be another event but would take the place of one of these dates. Councilor G. Steere stated that we have heard from the neighbors who have put up with a lot, although it had nothing to do with this applicant. Councilor W. Steere agreed and stated that having acoustics would be a good starting point.

5. David LaPlante, of Absalona Hill Road, stated that his experience with the last owners was not good. D. LaPlante stated that he does not understand the need for outdoor bands and does not see how this would make the business better. D. LaPlante stated that he is opposed to outside bands because he has the right to enjoy his summer too. D. LaPlante stated that special events happen, but he does not want to see it as a regular thing.

MOTION was made by Councilor W. Steere to CONTINUE the Public Hearing regarding the Entertainment License Request for Outdoor Entertainment, for applicant: Hill’s Tavern and Grill, LLC, d/b/a Hill’s Tavern and Grill, 417 Putnam Pike until the meeting of December 6, 2018; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

Councilor Henry asked if this applicant does not apply for a Special Event license during this time period, are they able to come back any time next year and apply for it, or do they need to do it now. T. Kane replied that we stress having them come in at once, but he does not think that we totally preclude it. Councilor Henry stated that she does not want the applicant, since they are new at the business, to miss an opportunity because they did not understand the Council’s process. T. Kane read from the Ordinance which states that application must be made no less than 30 days prior to the date of the special event.

- K. SPECIAL EVENT LICENSES - Discussion and/or action
 1. Robin Tyo, Tyo Ristaino Corp., d/b/a Cadys Tavern
Location: 2168 Putnam Pike, Glocester, RI
Request for miscellaneous 2019 Special Events with Outdoor Entertainment

Councilor G .Steere stated that this Public Hearing was advertised in the Valley Breeze on November 1, 2018 and abutters were notified.

Councilor G. Steere DECLARED the Public Hearing OPEN and stated that this request is for the following events: 1 - daytime Bike Wash; 4 - outside acoustic performance from 2:00 p.m. to 6:00 p.m. ; & 2 - daytime Bike shows.

Discussion: Councilor G. Steere stated that, per the Police Chief, there have been no issues regarding these events. Councilor W. Steere stated that the only issue was parking, and that has been addressed.

Councilor G. Steere declared the Public Hearing for Cady's Tavern **CLOSED**.

Discussion: None.

Motion was made by Councilor Reichert to Approve #7 Special Events for 2019: 1 - daytime Bike Car Wash; 4 - Outside acoustic performance from 2:00 p.m. to 6:00 p.m. ; & 2 - daytime Bike shows for Applicant: Robin Tyo, Tyo-Ristaino Corp., d/b/a Cady's Tavern with the following stipulations:

1. **The filing of an application 6 days prior to each event.**
2. **Crowd management and parking plan filed with each application.**
3. **No on-street parking allowed on Route 44.**
4. **The approval of the Chief of Police and the Fire Chief.**
5. **This approval may be rescinded by the Town Council for just cause.**
6. **Alcohol is only allowed in previously approved areas.**
7. **Compliance with the Special Event Ordinance.**

; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

2. Daniel Smiley, Purple Cat Tavern, Inc., d/b/a The Purple Cat!
Location: 11 Money Hill Road, Glocester, RI

Request for miscellaneous 2019 Special Events with outdoor Entertainment

Councilor G. Steere stated that this Public Hearing was advertised in the Valley Breeze on November 1, 2018 and abutters were notified.

Councilor G. Steere DECLARED the Public Hearing OPEN and stated that this request is for the following events: 5 - Music Dates; 5 - Art Festival Dates; 5 - Vendor Dates.

Discussion: Councilor W. Steere asked if these 15 different events are all outdoors. Dan Smiley, Applicant, replied in the affirmative, stating that he is asking for 15 potential events, but does not have anything lined up yet. D. Smiley stated that he hopes to have one (1) amplified event per month at the venue. Councilor W. Steere referred to the previous discussion regarding outside entertainment, stating that this applicant has more neighbors. Councilor Henry inquired what the timing would be for the amplified events. D. Smiley responded that his thought was 4:00 to 10:00, but if that is an issue he could roll that back. Councilor W. Steere noted that even the events at the former Sticks Tavern were in the afternoon and no more than four (4) hours.

Councilor W. Steere asked the applicant to explain what a "vendor day" is. D. Smiley replied that vendors would set up inside and sell their products and he would like to also do a fine arts show, where artists would display and sell their artwork. Jean Fecteau, Town Clerk, stated for the record that for these vendor-type events, there is the possibility that other licenses would have to be obtained from the Town Clerk's office.

Councilor W. Steere stated that the applicant will need a parking plan and a safety plan before the Town can issue a permit. Councilor G. Steere explained that, even if the Council approves something tonight, the applicant still has to come in to the Town Clerk a minimum of six (6) days

in advance of each event to file an application. D. Smiley stated that he understands that.

Councilor W. Steere stated that he is nervous about having five (5) music events in this area. D. Smiley stated that he could reduce the number of events requested if it would make the Council more comfortable. Councilor W. Steere commented that whatever the Council grants, it should not be more than two (2) events per month.

After further discussion, there was Council consensus that more specific details are needed from the applicant for the Council to make an informed decision.

Motion was made by Councilor W. Steere to CONTINUE the Public Hearing for Special Events for Applicant: Daniel Smiley, Purple Cat Tavern, Inc., d/b/a The Purple Cat! until the meeting of December 6, 2018; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

- VI. Consent Items - Discussion and/or action
 - A. Town Council Meeting Minutes of November 1, 2018
 - B. Tax Assessor's Additions & Abatements - October 2018
 - C. Finance Director's Report - October 2018

Councilor G. Steere stated that the minutes are not ready, but motions are available on request.

MOTION was made by Councilor Henry to TABLE the adoption of Town Council meeting minutes of November 1, 2018; to APPROVE the ADDITIONS to the 2018 Tax Roll in the amount of \$733.42; the ABATEMENTS to the 2018 Tax Roll in the amount of \$968.18 and the Supplemental 2018 Tax Roll in the amount of \$874.00; and to ACCEPT the Finance Director's Report for October 2018; seconded by Councilor Reichert.

Discussion:

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

MOTION PASSED

- VII. New Business
 - A. Bid Extensions- Discussion and/or action
 - 1. IFB 2016-05 Full Depth Pavement Reclamation

Councilor G. Steere read the following request from the Public Works Director:

November 9, 2018

To: Honorable Town Council
From: Gary Trembl
Public Works Director
Re: Bid Extensions

Bid extensions were requested from the vendors on the following bids:
IFB 2016-05 Full Depth Pavement Reclamation

IFB 2010-08 Chip Sealing

Both vendors have agreed to extend the bids at original pricing and conditions (see attached bid extension agreements).

I am requesting that these bid extension be approved.

Thank you.

(End of memo)

Discussion: Councilor Reichert noted that this is a good deal as fuel and oil prices have gone up since last year. Councilor Reichert added that if we put it out to bid, it would be much higher. Councilor Henry asked if we are in the parameters legally by not going out to bid. Tim Kane, Town Solicitor, replied that the bid can be extended on the same terms and conditions as the prior award, unlike a collective bargaining agreement which can only go for a year.

MOTION was made by Councilor Reichert to EXTEND IFB 2016-05 Full Depth Pavement Reclamation to Murray Paving & Reclamation for the price of \$1.43/sq. yd. and \$.85/sq. yd for calcium, if applied. Said Bid to be extended with pricing, terms and conditions remaining the same until November 1, 2019; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

2. IFB 2010-08 Chip Sealing

MOTION was made by Councilor Reichert to EXTEND IFB 2010-08 Chip Sealing to Comer Contracting, Inc. to supply Single Chip Seal (primary more than 2000 sq. yds at a price of \$1.61/sq. yd. delivered. Said Bid to be extended with pricing, terms and conditions remaining the same until October 15, 2019; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

Councilor Henry stated that she wants to be sure that, by not going out to bid, due diligence is done that we know that those numbers are good. Councilor Reichert stated that we would probably spend more in advertising and those prices are good.

B. Gloucester Community Septic Loan Program

Request for Exception for increased cost & debt to income ratio- Discussion and/or action

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

To: Honorable Town Council Members
From: Diane L. Brennan, Director of Finance
Memo: Exception to Debt to Loan Ratio
Date: November 13, 2018

The Town of Glocester has been advised there is a request for a loan from the Glocester Community Septic Loan Program. The address of the Glocester property is 114 Pinecrest Drive and owned by Andrew and Blanca White. The debt to income ratio has exceeded the town's criteria of 45%.

The loan request is for an estimate of up to \$20,000 for a ten year term. The monthly payment on \$20,000 will be \$183.98.

The White's began the process for the loan in July. Since that time Blanca's place of employment has filed for bankruptcy. She is now self employed and receiving some income which is not eligible for consideration by RI Housing due to the limited experience.

The ratio listed includes the full mortgage for a second property located in Massachusetts. Rental income is not considered based on their latest tax return. Mr. White indicated the rental income covers the cost of the property.

The White's have good credit scores and history. They are asking to have the exception presented to the Town Council for approval.

Lee- Ann Gagnon of the Rhode Island Housing has provided additional comments about the loan request. This has been included for your review.

Your approval is required for the loan to be granted.
(End of memo)

Councilor G. Steere read the following correspondence from R.I. Housing, which was referenced in the Finance Director's memo:

November 8, 2018

Re: Andrew and Blanca White, 114 Pinecrest, Glocester, RI 02814
Loan Amount: \$20,000.00 for 10 years Monthly Payment \$183.98

Dear Ms. Brennan:

I am writing to you requesting an exception for Andrew and Blanca White's loan application through the Glocester Community Septic Loan Program. Their debt to income ratio exceeds the town's program loan criteria of forty-five percent (45%). Mr. and Ms. White's current debt to income ratio is one hundred percent (100%) per their current credit report. The White's have maintained good credit and good credit scores. All the accounts listed on the credit report are in a current status. This is their primary residence. The combined loan to value will be 99.65%. This is based on the mortgage balance and the amount requested for the loan (\$20,000.00) for the project added together and divided by the town's assessed value of \$232,200.00.

Per Ms. White they received an estimate in the amount of \$16,000.00. However I do not have a copy of the estimate. Ms. White said she is waiting for the installer to supply them with a more detailed estimate that includes materials and labor.

Please advise us in writing by November 30, 2018 if you would like Rhode Island Housing to move forward with the loan application. If you have any questions, you may reach me at (numbers provided).

Respectfully,
Lee-Ann Gagnon

Community Lending Processor
(end of memo)

Discussion: Andrew White, loan applicant, stated that the debt to income ratio is high, but he and his wife have excellent credit and are never late with their monthly obligations. Councilor G. Steere asked if the septic system has failed. A. White replied in the affirmative and stated that he has a repair estimate of \$16,000. A. White stated that they were advised to ask for \$20,000. Councilor Reichert noted that the Whites are having the system pumped, which is expensive. Councilor Reichert advised Mr. White that the Town will have a lien on the property in the event of a default.

MOTION was made by Councilor Reichert to **APPROVE** the exception of debt to income ratio, at 100%, on the Rhode Island Housing loan application, for property located at 114 Pinecrest owned by Andrew and Blanca White, through the Gloucester Community Septic Loan Program, November 2018; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

- C. Request from RLM II, LLC for release of liens held by Town of Gloucester/Glocester Home Repair re: mobile home
Location: 10 Hemlock Drive, The Village on Chopmist Hill Mobile Home Park-
Discussion and/or action

Tim Kane, Town Solicitor, explained that there is a 1976 mobile home at the park for which all taxes are paid. T. Kane stated that the current owner of the mobile home is deceased and a probate estate was opened but no one has claimed the property (trailer). T. Kane stated that the mobile home is not worth anything and there are no other assets. T. Kane stated that they want to demolish the mobile home and bring in a new one, but need permission from the Town as it is the Town's collateral. T. Kane advised the Council not to exercise the Town's right to the collateral because it would cost much more that it is worth.

MOTION was made by Councilor W. Steere to authorize the Town Council president to sign releases and/or discharges of liens on the mobile home located at 10 Hemlock Drive in the Village on Chopmist Hill mobile home park, subject to the condition that RLM records the bill of sale in Land Evidence; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

- D. Transfer of Town Property: (Generator from Police Dept.) To Ponaganset High School - Discussion and/or action

Councilor G. Steere explained that at a previous meeting the EMA Director, Gerry Mosca, informed the Council that he has received a grant to replace the generator at the Police Station. Councilor G. Steere stated that Gerry planned to move the current generator at the Police Station to the High School to run the wells, thereby, making it a viable shelter in an emergency. Councilor G. Steere noted that Gerry stated the school district has agreed to pay for the installation and

engineering needed for the installation.

Councilor G. Steere stated that the Clerk, EMA Director and Solicitor have discussed this and feel the Council may want to authorize the transfer of the generator as it is town property, with conditions.

Councilor Henry asked if we have anything in writing from the Business Manager of the School District. Gerry Mosca, EMA Director, replied in the negative, stating that is why there are conditions in the motion. G. Mosca further stated that the School District will not get the generator unless they accept these conditions in writing.

Councilor G. Steere stated that the Building Official has had problems with the School District not pulling permits for work that has been done and noted that the motion stipulates that permits must be obtained before we give them the generator. G. Mosca concurred.

MOTION was made by Councilor Henry to AUTHORIZE the Town of Gloucester transfer of the current emergency generator at the Gloucester Police Department to the Ponaganset Regional High School (following the installation of a new generator at the police department). Said transfer will be made on the following conditions: the Regional School District shall agree to be responsible for any engineering and installation costs; the Region is subject to obtaining any and all required building, electrical permits and inspections relative to the installation and operation of the generator; upon transfer to the school the Regional School District shall agree to assume all liability for the generator including all further maintenance; said generator will be used by the Region to power wells during an emergency, thereby, allowing the school to be a viable shelter during emergencies or disasters; and the Region shall acknowledge that the generator is accepted in its current condition; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

VIII. Town Council Correspondence /Discussion

- A. Councilor G. Steere stated that a letter was received from DEM Forest Management Division regarding their America the Beautiful - Tree Rhode Island 2019-2020 Grant Program. Councilor G. Steere stated that the application period ends on January 31, 2019. Jean Fecteau, Town Clerk, stated that she sent a copy to the Conservation Commission and the Tree Warden, but they have typically declined because a whole budget would have to be created.
- B. Councilor G. Steere stated that a letter was received from the City of Woonsocket stating that they have submitted a license application to the Federal Energy Regulatory Commission for a new hydroelectric license for a plant at the dam in Woonsocket. Councilor G. Steere stated that this will replace the license that will expire on October 31, 2020.
- C. Councilor G. Steere stated that the Council has received a request from George Charette for a leave of absence from the Planning Board from January through March due to medical issues.

D. Councilor G. Steere stated that DOT sent a notice of availability for information on their proposed toll locations throughout the State.

E. Councilor G. Steere stated that the Council received a letter from the Senior Center director stating that RISE has finished converting the light fixtures to energy efficient fixtures and bulbs in the building.

Councilor G. Steere stated that the Director reported that the Holiday Bazaar raised \$2002, despite the weather, and 110 members were signed up for the Thanksgiving meal.

F. Councilor Henry stated that she and Councilor W. Steere attended the Veterans Day event on Sunday at the Senior Center and commented that it was a great event. Councilor Henry thanked Jean Fecteau, Town Clerk, for putting the event together. Councilor G. Steere noted that J. Fecteau does a great job on that every year.

IX. Department Head Reports/Discussion

A. Diane Brennan, Finance Director, stated that Sgt. Kimberly Bertholic has been promoted to the rank of Lieutenant, effective Sunday November 25th. D. Brennan stated that this will be formally approved by the Town Council on December 6th. Jean Fecteau, Town Clerk, stated that Joseph DelPrete, Chief of Police, has asked that we have a 7:00 start for recognition of several officers and several promotions.

X. Bds. and Commissions Reports/Discussion

None.

XI. Open Forum

A. Mark Rechter, of 1218 Putnam Pike, stated that a couple of weeks ago, we had the honor of having the Moving Wall at our high school. M. Rechter stated that on October 31st, in the Providence Journal, under the Veterans heading, there was an article about the Moving Wall, stating that it was coming to Scituate. M. Rechter stated that there was no mention of Foster or Glocester in the article. M. Rechter stated that he called the Journal to complain and they printed a retraction. M. Rechter stated that Channel 12 also advertised that this event was in Scituate, RI. M. Rechter stated that he has a problem with the zip code 02857 and feels that it is time to ask the Postal Service to delineate Glocester from that zip code. M. Rechter referred to a similar situation in Cranston and Johnston, stating that zip codes were changed because the residents complained that their mail was getting lost. M. Rechter mentioned several schools and businesses that are located in Glocester, but people have the perception that they are in North Scituate due to their zip code.

Councilor G. Steere agreed, stating that it is also a problem with UPS deliveries. Councilor Reichert stated that there have also been issues with phone numbers being changed. M. Rechter commented that he is proud of his town and it is time to do something about this problem. M. Rechter stated that there would have to be public hearings, but he feels it can be done.

Councilor Henry commented that the error would have been prevented if the School Committee had put out a press release about the Vietnam Wall to the media with the correct information. Councilor Henry stated that they never even advertised the event, which is a shame.

Councilor G. Steere stated that it is a continuing problem for residents with that zip code. Tim Kane stated that there is a similar situation in Smithfield, North Smithfield and Burrillville. M. Rechter stated that he is only addressing Gloucester because he thought it was demeaning to our high school to say it is in Scituate, especially for an event such as this. Councilor Reichert stated that he is willing to try to get it changed. Councilor G. Steere stated that if the Council does try, they should advertise it and have a public hearing to get people's opinions. Councilor Henry commented that some people may not want to change.

XII. Adjourn

MOTION was made by Councilor Henry to ADJOURN at 9:36 p.m.; seconded by Councilor Reichert.

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

MOTION PASSED