

At a meeting of the Town Council holden in and for the Town of Gloucester on December 5, 2019:

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, Vice-President; William E. Reichert; Patricia Henry; and Julian (Jay) Forgue.

Also Present: Jean Fecteau, Town Clerk; Tim Kane, Town Solicitor; Joseph DelPrete, Chief of Police; Diane Brennan, Finance Director; Kenneth Johnson, Building/Zoning Official; Karen Scott, Town Planner; James Wolfgang, HR Administrator; Robert Shields, Recreation Director; and Judith Branch, Director of Human Services.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum - For Agenda Items

None.

V. Resolution - #2019-08 - Discussion and/or Action

Wreaths Across America

Councilor G. Steere stated that the Council has a Resolution in celebration of Wreaths Across America to be held on December 10th at the High School.

Councilor W. Steere read the following Resolution into the record:

RESOLUTION #2019-08 WREATHS ACROSS AMERICA

WHEREAS: Wreaths Across America was formed as an off shoot of the Arlington Wreath Project in 2007 when the Worcester family, along with veterans, and others who had helped with their annual veterans wreath ceremony in Arlington, formed Wreaths Across America, a non-profit organization, to continue and expand this effort and support other groups around the country who wanted to do the same; and

WHEREAS: Morrill Worcester took the project nationally with the launch of Wreaths Across America. His important words spread out across our country: "We couldn't do anything in this country if it wasn't for the people who gave their lives to protect us. It's a great honor to be able to come here and pay our respects"; and

WHEREAS: By the time the final wreath has been placed, this event will have continued the tradition of teaching the importance of remembering our fallen heroes, honoring those who serve, and teaching our children about the sacrifices made by our veterans and their families to preserve the freedoms we hold dear; and

WHEREAS: The mission of the group is as important as it is simple:

Remember. Honor. Teach.

WHEREAS: Ponaganset School, under the direction of mentor and teacher, Michael Calenda, and with the help of many of the staff have and continue to be the force that brings this honor to our Town. Through their efforts our young people have set an example for all our residents to follow and have laid the groundwork to ensure our Veterans are never forgotten, living the **REMEMBER, HONOR, and TEACH** message; and

NOW THEREFORE BE IT RESOLVED; The Town Council and the Town Clerk represent all Gloucester residents when we say to Mr. Michael Calenda, the staff, & the students of Ponaganset that we are proud of the spirit you bring, the example you set, and the leadership you show by giving us **WREATHS ACROSS AMERICA** at Ponaganset High School.

George O. Steere, Jr., President

Walter M.O. Steere, III, Vice. Pres.

William E. Reichert

Julian P. Fogue

Patricia Jean Henry

Jean M. Fecteau, CMC
Town Clerk

Adopted this 5th Day of December, 2019

seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

VI. PUBLIC HEARINGS - Discussion and/or action

- A. SPECIAL EVENT LICENSE - **CONTINUATION FROM 11/21/2019** –
Nikolas Zarokostas, Mr. Z's By The Lake, LLC,
d/b/a Mr. Z's By The Lake
Location: 2400 Putnam Pike, Gloucester, RI
Request for miscellaneous 2020 Outdoor Special Events

Councilor G. Steere stated that this Public Hearing was opened on November 21, 2019 and continued for discussion with the applicant.

Councilor G. Steere DECLARED the Hearing OPEN.

Discussion: Nikolas Zarokostas, applicant, stated that he does not have anything planned at this time, but during the nicer weather he might want to do a fund-raiser, such as a car wash or bike run, in their regular parking lot. N. Zarokostas stated that for other special events, they can designate the area off the parking lot, far off the road, which can be fenced in with a rental fence. N. Zarokostas

noted that he does not necessarily want to have alcohol outside and he wants to stay away from having bands. N. Zarokostas stated that as events are planned, he will come in with more details.

Councilor Reichert asked if a movie screen has been set up at the establishment. N. Zarokostas replied in the negative, stating that a piece of wood was set up by the landscaper but he plans to take it down.

Councilor G. Steere stated that history has shown us that outdoor bands cause chaos with the neighbors, so the applicant is wise not to ask for that.

Councilor W. Steere asked if the events would take place during the week or on the weekend. N. Zarokostas replied that he would be open to both, but sunset would be the cutoff time. Councilor W. Steere asked how many parking spots does the applicant have. N. Zarokostas replied 80 spots as of now, which typically fill up on Friday and Saturday nights. Councilor W. Steere stated that with a special event, it will be tight already with normal business. N. Zarokostas stated that he would refrain from doing events during busy times. Councilor W. Steere stated that if people park at the fire station or on the street, it would be problematic. N. Zarokostas stated that he would designate somebody to direct people where to park. Councilor W. Steere noted that somebody might be having an event but it is the applicant's establishment and he should be taking charge. Councilor W. Steere noted that the applicant is not looking for any amplification outside.

Councilor Reichert commented that the applicant has a good business and he goes there often. Councilor Reichert asked what if he wanted to have a birthday party for his grandson and put up a tent for 50 people. N. Zarokostas replied that food would be brought out to the party and stated that is the type of event they would do.

There was discussion concerning a temporary fence for the special events. Jean Fecteau, Town Clerk, noted that any fence would have to be approved by the Fire Department to ensure that people can exit the area.

Councilor Henry stated that other people have come to the Council with a number that the Council approved, but N. Zarokostas' application just says "some events". Councilor Forgue stated that it would be a good idea to have a specific number and have a trial period of one (1) year. N. Zarokostas stated that two (2) events per month would be feasible. Councilor Henry stated that the process is to come to the Clerk's office to apply six (6) days in advance of the event.

Councilor W. Steere asked Joseph DelPrete, Chief of Police, if he had anything to add. Chief DelPrete replied that there have been no issues but if there is a large event, there must be a parking plan.

Councilor G. Steere asked if anyone wished to speak for or against this application.

Janice Lowell, 2402 Putnam Pike, stated that she owns the property directly behind the restaurant. J. Lowell complimented the new owner on the improvements he has made to the property and noted the problems she had with the previous owner. J. Lowell expressed concern regarding the process

for Special Events, stating that previously, the process was to come in for each specific event so the abutters would be aware of it. J. Lowell stated her opinion that this process is vague and just opens the door to special events. J. Lowell stated that the property owners have no idea so they can't say if they are in favor or against them. J. Lowell stated that she is building a home on an abutting lot and is concerned that this will affect the value when she sells her current home. J. Lowell stated that some specifics should be given so she knows if she is for this. J. Lowell again stated that it is too vague.

Councilor G. Steere noted that the applicant is not requesting outdoor entertainment, bands, which has historically been the problem with Special Events. Councilor G. Steere further stated that the applicant does not have outdoor drinking either so there would be no alcohol served outside. Councilor G. Steere stated that the Council has determined that acoustic music is fine, but the applicant stated that he is not planning on it.

J. Lowell stated that she would not object to an occasional fund-raiser that is kept controlled and quiet, but would feel more comfortable knowing what the specific event is. J. Lowell noted that this is in her front yard.

Councilor Henry stated that it is not up to the Council to tell the applicant how many events to have and asked him to give some guidelines. N. Zarokostas replied that he would like two (2) per month for several months. Councilor Henry stated that they could not be consecutive days.

Councilor Forgue asked the applicant if he would be opposed to having events in June, July and August for the first year. N. Zarokostas replied that he is okay with that. J. Lowell asked if she would be informed regarding what the event would be. Councilor G. Steere replied that the applicant would file everything in the Clerk's office. Jean Fecteau, Town Clerk, stated that she then sends the application to the Police Chief and Fire Chief for approval. N. Zarokostas stated that he will let J. Lowell know what is planned in advance.

Councilor W. Steere stated that since we don't have a history with this owner, he suggested one (1) event per month and if things go well, next year we could consider more. Councilor W. Steere stated that last year, the Council was generous with another establishment and that "came back and bit us". Regarding the hours of the events, Councilor W. Steere stated that it would be between noon and 8:00 p.m., no longer than four (4) hours at a time. Councilor W. Steere noted that if there are any problems, the Council could revoke any future events. J. Lowell stated that she has no objection to trying one (1) event per month.

Councilor Forgue suggested that the applicant be allowed five (5) events, May through September. Councilor G. Steere stated that the applicant is a responsible business owner and recommended that he be given the option of two (2) events per month for June, July, August and September. Councilor G. Steere stated that the applicant has stated that he doesn't need outdoor amplified music and is not looking to serve alcohol outdoors. Councilor G. Steere noted that it doesn't mean he will use all that we give him. Councilor G. Steere stated that he would hate to tie the applicant's hands with one (1) a month because he might have two (2) one month and nothing the next. Councilor Forgue suggested a compromise of one (1) in May, two (2) in June, July and August, and one (1) in September.

Councilor G. Steere asked Ken Johnson, Building/Zoning Official, if that whole area is commercial property. K. Johnson replied in the affirmative.

Jean Fecteau, Town Clerk, asked if there are any uses listed on the application that the Council would not approve. Councilor Henry mentioned motorcycle events because they make so much noise. Councilor Forgue commented that Cady's has motorcycle events and there hasn't been any problems. Councilor G. Steere stated that this is a trial basis and the applicant is responsible for what happens.

Councilor G. Steere asked if anyone in the audience wished to speak. Hearing none, Councilor G. Steere **DECLARED the PUBLIC HEARING CLOSED.**

Discussion: Councilor W. Steere recommended two (2) events in June, July and August, or one (1) event per month, May through September. Councilor Forgue stated that September can be a nice month to have a car show and he would not like to handcuff the applicant by not allowing anything in September. Councilor G. Steere stated that he is in favor of one (1) event in May and September, and two (2) in June, July and August. Councilor W. Steere noted that other businesses in town have special events and Public Safety can only be stretched so thin. Councilor Forgue stated that the applicant is reasonable and responsible.

Tim Kane, Town Solicitor, suggested a stipulation that the applicant will give the neighbor, Janice Lowell, a copy of the application he will file with the Town Clerk.

MOTION was made by Councilor Reichert to Approve Special Events for 2020 as follows: Youth and Adult Sporting Fund-raisers, Motorcycle Runs, Car Washes, Bereavement Fund-Raisers, Outside Barbecues, Car Shows and Motorcycle Shows ; for Applicant: Nikolas Zarokostas, Mr. Z's By The Lake, LLC, d/b/a Mr. Z's By The Lake, Location: 2400 Putnam Pike, 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 inside the establishment.**
7. **Compliance with the Special Event Ordinance.**
8. **No outdoor amplified music.**
9. **Special Events may be held as follows: One (1) during the month of May, two (2) during the month of June, two (2) during the month of July, two (2) during the month of August, and one (1) during the month of September.**
10. **Special Events are not to be held on consecutive days and only one (1) per weekend.**
11. **The applicant shall hand-deliver a copy of the Special Event application filed with the Town Clerk to the residence of Janice Lowell on the same day the applicant files with the Town Clerk.**
12. **Special Events shall be held between the hours of noon and 8:00 p.m., no more than four (4) hours.**

; seconded by Councilor Forgue.

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

MOTION PASSED

B. VICTUALING LICENSE (NEW) - Discussion and/or action

1. Applicant: Paris Irons Farm
Location of Business: 86 Paris Irons Road

Councilor G. Steere stated that this Public Hearing was advertised in the Valley Breeze on November 14th, 21st & 28, 2019.

Councilor G. Steere DECLARED the Public Hearing OPEN.

Discussion: Councilor G. Steere noted that this applicant previously held a license at that property but did not renew in 2018 for 2019.

Jean Fecteau, Town Clerk, stated that the applicant is not present. J. Fecteau explained that the applicant typically had farm events and set up a booth to sell cookies, hot drinks, etc. Councilor G. Steere asked if he has a farm kitchen approved by the State. J. Fecteau replied in the affirmative.

Councilor Forgue asked if there had been any issues with the business. J. Fecteau replied that in the beginning, the events were stretched beyond farm uses and were questioned by her office, but at the end he seemed to be doing all right.

Councilor Henry noted that the applicant is not here to answer any questions. There was Council consensus to continue this application until the applicant can provide the Council with more information.

MOTION was made by Councilor Henry to CONTINUE the Public Hearing for a Victualing License to Applicant: Paris Irons Farm, Location of Business: 86 Paris Irons Road until the meeting of December 19, 2019; seconded by Forgue.

Discussion: None.

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

MOTION PASSED

VII. Consent Items - Discussion and/or Action

- A. Approval of Town Council Special Meeting minutes of November 13th and Regular meeting minutes of November 21st, 2019

MOTION was made by Councilor Reichert to APPROVE the Town Council Special Meeting minutes of November 13th, 2019 and to TABLE the Regular meeting minutes of November 21, 2019; seconded by Councilor Henry.

Discussion: None.

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

MOTION PASSED

VIII. Unfinished Business

A. Town Property “Simas Property” (**Now known as Gloucester Veterans Memorial Recreation Area**) Stone Dam & Snake Hill Roads

1. Extent of and vote on passing Stewardship to Conservation Commission - Discussion and/or Action

Councilor G. Steere stated that the Clerk has received an email from the Conservation Commission, stating that they will assume the stewardship, similar to that of Williams Mills, where they have been given general oversight. Councilor G. Steere explained that each year, the Commission adopts rules and regulations for the use of the property and sends to Council for approval. Councilor G. Steere stated that this stewardship will include hunting on the property once the Town Ordinance is amended to allow the use.

Councilor G. Steere stated that as was done for Williams Mills, Council has a resolution establishing stewardship. Councilor Reichert read the following into the record:

RESOLUTION

#2019-09

Gloucester Veterans Memorial Recreation Area

WHEREAS, the Town of GLOCESTER (“Town”) is the owner of land identified as Assessors Plat 12, Lots 71A, 92, & 93; and

WHEREAS, the Town is desirous that the Gloucester Conservation Commission be the steward of the property and manage the property and the Conservation Commission is desirous of accepting stewardship of the property; and

NOW, THEREFORE, be it hereby Resolved as follows:

1. That the Town Council hereby designates the Gloucester Conservation Commission as the steward of the property.
2. That the property shall be known as the Gloucester Veterans Memorial Recreation Area
3. That the Conservation Commission is authorized to promulgate rules and regulations regarding the use of the property subject to the approval of the Town Council which shall be consistent with the goals, objectives and recommendations of the Comprehensive Plan.
4. That the Conservation Commission shall allow hunting on the property consistent with the rules and regulations of the Rhode Island Department of Environmental Management conditional upon the Town Council amending Gloucester Code Section 221-5 to provide an exception for the Gloucester

Veterans Memorial Recreation Area. .

5. The Town Council does hereby retain the authority to revoke stewardship of the property and to amend, modify or repeal the rules and regulations promulgated by the Conservation Commission.

George O. Steere, Jr.
Town Council President

Adopted December 5, 2019

Seconded by Councilor Henry.

Discussion: None.

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

MOTION PASSED

- B. Bds. And Commissions
 1. Appointments - Discussion and/or Action
 - a. Gloucester Housing Authority
 - (1) Five year term to expire 7/2020

Councilor G. Steere stated that the Chair has indicated that the Council can choose from the talent bank listing as they have no recommendation. Jean Fecteau, Town Clerk, stated that she will contact the people on the list to ask if they are still interested in serving.

Councilor Henry noted that Judith Branch, Human Services Director, has submitted an application. Tim Kane, Town Solicitor, stated that the Charter prohibits Town employees from serving on boards and commissions. It was stated that J. Branch is an elected official. T. Kane stated that he will research the matter prior to the next meeting.

MOTION was made by Councilor Henry to TABLE the appointment to the Gloucester Housing Authority until the next Town Council meeting; seconded by Councilor Forgue.

Discussion: None.

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

MOTION PASSED

- IX. New Business
 - A. Gloucester Code of Ordinances - Proposed Amendments, 1st Reading - Discussion and/or Action
 1. Part 1, Administrative Legislation, Chapter 48, Town Road Map
 2. Part 3, General Legislation, Chapter 145-2 & 145-3, Building Permits, Article II, Permits for Construction of New Building,
 3. Chapter 350, Zoning: Article II, Section 350-11, Attachment I, Table of Use

- Regulations - To include proposed additional land uses
4. Chapter 350, Zoning: Article I, Section 350-5 Definitions - To define proposed additional land use definitions

Discussion: Karen Scott, Town Planner, gave an overview of each item as follows:

1. K. Scott stated that Public Works, the Town Clerk's office and the Planning Department have been working for the past year and a half to compile an official map in accordance with RIGL 45-23.1. K. Scott stated that the official map illustrates the location of all the streets and shows which ones are town owned, non-town owned, and State roads. K. Scott noted that there is an accompanying document containing additional information for internal use by staff.
2. K. Scott stated that the only change is the terminology; the term "suitably improved" has been removed and if somebody comes in to build on a non-Town road, the Technical Review Committee, which is the Planner, the Building Official and the Public Works Director, will consult with the Police Department and Fire Department to decide if the access is adequate. K. Scott noted that the same process will be followed for an Exception to the Ordinance Regulating the Issuance of Building Permits.

Councilor Henry commended K. Scott for her efforts. K. Scott stated that she had a lot of help from the Town Clerk's office and the Public Works Department.

- 3&4. K. Scott stated that number 3 and 4 are amendments to the Zoning Ordinance use table and definitions regarding a brew pub, day spa, distillery, large brewery, micro-brewery, tattoo parlor and winery. K. Scott stated that these uses are not outlined specifically in the Ordinance at this time.

K. Scott stated that all four (4) of these came with positive advisory opinions from the Planning Board.

MOTION was made by Councilor to SET a Public Hearing for January 16, 2020 to consider the proposed amendments to the Gloucester Code of Ordinances as read and described; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

- B. Capital Improvement Program 2020 – 2021 - Planning Board opinion - Discussion and/or Action

Councilor G. Steere stated that this year's capital improvement recommendations was submitted to Planning Board for an opinion on consistency with the Comprehensive Plan. Councilor G. Steere

read the following recommendation:

To: Gloucester Town Council Members
From: Gloucester Planning Board
Date: November 11, 2019
Subject: Capital Improvement Program 2020-2021

At their November 4, 2019 meeting, the Planning Board motioned to advise the Town Council that the Capital Improvement Project requests for 2020-2021 as described in the proposals from the Finance Department, School Department, and Police Department, dated October 2019, are not inconsistent with the Gloucester Comprehensive Community Plan.

We respectfully request that these requests are forwarded to the Budget Board for consideration during the FY 2020- 2021 budget process.

(End of memo)

Discussion: None.

MOTION was made by Councilor Forgue to forward the Planning Board recommendation for the Capital Improvement Program 2020-2021 for their consideration when preparing the proposed budget; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

C. Personnel

1. Human Resources Administrator - Hours of work - Discussion and/or Action

Councilor Forgue stated that he asked to put this on the agenda. Councilor Forgue stated that he had a conversation with the Human Resource Administrator, James Wolfgang, who stated that he is overloaded with two (2) days a week and cannot get a steady momentum going. Councilor Forgue stated that he wants to have Council discussion regarding giving J. Wolfgang extra time, as was originally talked about.

James Wolfgang, Human Resource Administrator, stated that he wants to make improvements to the Employee Handbook and to look at compensatory time and other policies, such as a performance review system for all employees. J. Wolfgang stated that in the 3 to 4 weeks since he started, there has been a lot of minutiae type things that he was not aware that he would be doing. J. Wolfgang stated that there have been two (2) retirements in the past week for which he has had to advertise and post internally. J. Wolfgang stated that the first day he was here, he had a harassment complaint filed between two (2) employees which has resulted in three (3) hearings and a grievance filed with the Union.

J. Wolfgang asked the Council if they would consider an extra day to make it three (3) days per

week and then look at it again down the road. J. Wolfgang stated that the two (2) days is a lack of continuity and so much happens in the days he is not here. J. Wolfgang noted that Diane Brennan, Finance Director, and Jean Fecteau, Town Clerk, have been helpful in filling in when he is out, but he does not want to burden them. J. Wolfgang stated that whatever the Council decides is fine with him.

Councilor G. Steere stated that the Council knew this would be a work in progress. Councilor W. Steere asked D. Brennan if the current budget would support extra hours. D. Brennan stated that she calculated that J. Wolfgang has 700 hours left at the amount that has been put in, but if the Council adds a day, we would be over budget. Councilor Henry stated that it is “crunch time” and asked if the Council can approve the extra 8-hour day and monitor where we are in February or March.

MOTION was made by Councilor Henry to APPROVE James Wolfgang, Human Resources Administrator, increase to his work week one (1) extra day a week, for a 3-day workweek, 8 hours per day, for the next 24 weeks, at which point the Council will reassess, as long as we do not exceed the 700 hours we have appropriated in this budget year; seconded by Councilor Fergue.

Discussion: Councilor Henry thanked James Wolfgang for his hard work. Councilor Fergue stated that J. Wolfgang is doing a great job and the Council really appreciates what he is doing for them.

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

MOTION PASSED

2. Acceptance of Resignation & Authorization to advertise to fill position-
Senior Clerk Position - Discussion and/or Action

The Town Clerk has received the resignation of Senior Clerk, Elizabeth Randall, from her office. Council must now accept so that the Clerk can go forward to fill the position.

MOTION was made by Councilor W. Steere to ACCEPT, with regrets and thanks, the resignation of Senior Clerk, Elizabeth Randall, effective end of day, January 10, 2020; seconded by Councilor Fergue.

Discussion: None.

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

MOTION PASSED

MOTION was made by Councilor Reichert to AUTHORIZE the HR Administrator and Town Clerk to begin the process to fill the position of clerk in the Town Clerk’s Office and upon completion of the process bring their recommendation of appointment to the Town Council; seconded by Councilor Fergue.

Discussion: None.

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

MOTION PASSED

D. Bds. & Commissions

1. Resignation - Discussion and/or Action
 - a. Planning Board

1. One unexpired 5-year term to expire 03/2023

Councilor G. Steere stated that the Clerk has received the resignation from George Charette from the Planning Board dated November 26, 2019.

MOTION was made by Councilor Forgue to ACCEPT, with regrets and a ton of thanks, the resignation of George Charette from the Planning Board of Review, effective November 26, 2019; seconded by Councilor Henry.

Discussion: Councilor G. Steere expressed thanks to G. Charette for all his years of service.

George Charette thanked the Town Council members, the Town Solicitor, all department heads and committee members who have worked to move the town forward over the last 26 years. G. Charette stated that it is time for someone else to fill the shoes that he has held. G. Charette commented that Gloucester is at the crossroads of moving forward but must preserve its heritage. G. Charette thanked the Council for their trust in him.

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

MOTION PASSED

2. Appointments - Discussion and/or Action
 - a. Planning Board

1. One 5-year term to expire 03/2023

Councilor G. Steere stated that the Chair has made a recommendation from the Talent Bank listing, Lionel Delos.

MOTION was made by Councilor W. Steere to APPOINT Lionel Delos to the Planning Board , for an unexpired five year term to expire 3/2023; seconded by Councilor Forgue.

Discussion: None.

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

MOTION PASSED

- b. Charter Review Commission - 9 member Commission for a term to expire upon completion of charge

Councilor G. Steere stated that we have received six talent bank applications for this commission.

Councilor G. Steere noted that the Clerk has stated it is important to appoint as soon as possible as this commission only has a short time to submit their recommendation to Council. Councilor G. Steere stated that if Council appoints tonight, the Clerk will call the first meeting of the commission in December.

Councilor G. Steere stated that we only have six (6) applications so far and asked if others can be added as they come in. Jean Fecteau, Town Clerk, replied that six (6) would be enough for now. Councilor G. Steere stated that it would be better to have an odd number for voting purposes. Councilor Forgue suggested appointing these candidates now and trying to locate a couple more candidates later.

Councilor Henry asked what is the time frame for the charter review. J. Fecteau replied that the commission has six (6) months to give a recommendation and a Public Hearing would be held at the end of June or beginning of July. J. Fecteau stated that the final questions have to go to the State in August to be on the ballot in November.

Councilor Henry asked if Town employees can serve on the commission. J. Fecteau replied that she found nothing in the Charter that prohibits it. Councilor Forgue asked if somebody can serve if they are on another board. Councilor G. Steere replied that this would not conflict.

J. Fecteau stated that if the Council appoints a quorum of nine (9), she can get started and then run another ad for candidates. Councilor G. Steere agreed that the Council should appoint these six (6).

MOTION was made by Councilor Reichert to **APPOINT George Kain; Kathy Sorensen; Roger Phillips; James Giarusso; David Steere; and Eric Croft** to the 2020 Charter Review Commission; seconded by Councilor W. Steere.

Discussion: Councilor Forgue stated that he was unaware that we only had six (6) and suggested that the Council wait until we have more than nine (9) before making a decision. Councilor G. Steere stated that we could wait until the next meeting but we would absolutely have to get it done then. Councilor Henry stated she will work proactively to try to find people.

Councilor Reichert WITHDREW his motion and Councilor W. Steere WITHDREW his second.

MOTION was made by Councilor Reichert to **TABLE** the appointments to the 2020 Charter Review Commission until the next meeting; seconded by Councilor Henry.

Discussion: None.

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

MOTION PASSED

b. Budget Board
Three expired 3-year terms

Councilor G. Steere stated that this is for the expired terms of Eric Croft, Kevin Lavoie, and Mike Morgan. Councilor G. Steere noted that Mike Morgan and Kevin Lavoie stated they will accept a reappointment, however Eric Croft does not wish to be reappointed.

MOTION was made by Councilor W. Steere to RE- APPOINT Michael Morgan & Kevin Lavoie to the Budget Board , for three year terms to expire 1/2023; seconded by Councilor Henry.

Discussion: The Council expressed thanks to Eric Croft for his service.

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

MOTION PASSED

MOTION was made by Councilor W. Steere to TABLE the appointment to Position #5 to the Budget Board; seconded by Councilor Henry.

Discussion: None.

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

MOTION PASSED

- E. Request for Bid Extensions - Discussion and/or Action
1. IFB 2016-05 Full Depth Pavement Reclamation
 2. IFB 2019-01 Road Sand

Council has received a request from Gary Treml:

November 26, 2019

To: Honorable Town Council
From: Gary Treml, 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 2019-01 Road Sand

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

I am requesting that these bid extensions be approved.

Thank you,
Gary Treml
(end of memo)

Discussion: Councilor Reichert stated that if you put this out to bid, the prices would be much

higher.

MOTION was made by Councilor Henry to APPROVE the Bid Extension of IFB 2016-05 to Murray Paving & Reclamation, of Holliston Massachusetts, for Full Depth Pavement Reclamation for the price of \$1.43 sq. yard and \$.85 per sq. yard for calcium ,if applied, to November 1, 2020; seconded by Councilor Forgue.

Discussion: None.

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

MOTION PASSED

MOTION was made by Councilor Henry to APPROVE the Bid Extension of IFB 2019-01 to Barnes Concrete, of Putnam Connecticut, to supply Road Sand at a price of \$15.10 per ton delivered or \$11.10 per ton picked up to December 31, 2020; seconded by Councilor Forgue.

Discussion: None.

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

MOTION PASSED

- F. Gloucester Community Septic Loan Program
Request for Exception for debt to income ratio- 78 Olney Keach Road Discussion
and/or action

Councilor G. Steere stated that the Council has received the following request from the Finance Director:

To: The Honorable Town Council
From: Diane L. Brennan, Finance Director
Memo: Loan Exception
Date: December 2, 2019

I have a request from a Gloucester homeowner seeking a septic loan from RI Housing. The homeowners do not meet the council's guidelines for RI Housing to issue the loan. The council is being asked to consider the loan on an exception basis to allow the loan to be processed. The property is located at 78 Olney Keach Road and the system is failing. The resident exceeds the loan to debt ratio and has provided the council some reasons as to why that is the case. The details have been provided in a separate letter to the council.

(end of memo)

Diane Brennan, Finance Director, stated that the homeowner has provided a letter requesting this exception. D. Brennan noted that they have done some repairs to the system, but more extensive work is needed. D. Brennan further stated that some of the family's income is not able to be included in the debt ratio.

MOTION was made by Councilor Henry to APPROVE the exception of debt to income ratio on a current Rhode Island Housing loan application for the Gloucester Community Septic Loan Program, for property located at 78 Olney Keach Road owned by Stefanie and Philip Desrosiers; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

G. Enforcement - Commercial use (Tow Trucks) parking/idling in residential neighborhoods - Discussion and/or Action

Councilor Reichert stated that he put this on the agenda due to several complaints that were received during a snowstorm. Councilor Reichert stated that the Duquette property next to DPW was purchased by somebody named Jepson who has trucks idling in the road.

Ken Johnson, Building/Zoning Official, stated that Mr. Jepson has a tow truck and he leaves very early in the morning and comes home late at night. K. Johnson stated that he told Mr. Jepson that there is a garage in the rear where he could park his truck at night. K. Johnson stated that the complaints were about a tree-removal truck that came at night and was left idling on the street for several hours. K. Johnson noted that he did not get any complaints in the office, however Councilor Reichert received some calls. K. Johnson stated that he explained to Mr. Jepson that large trucks cannot be coming in and out of there. K. Johnson stated that he doesn't think this will continue to be a problem but he will monitor the situation.

Councilor Reichert referred to our zoning laws and suggested that Mr. Jepson sign something stating that no equipment is stored there. K. Johnson stated that there are a number of people in Gloucester who take home good sized trucks and park them on their property. K. Johnson stated that as far as zoning goes, he tries to stick to the rules, but we have to let people do what they do for a living. K. Johnson stated that this person has been put on notice not to bring any equipment back to that site or to tow anything back to that site.

Councilor W. Steere asked Tim Kane, Town Solicitor, what happens if we have a continuous problem. T. Kane stated that enforcement proceedings would begin. Councilor W. Steere stated that we don't enforce because we allow it to happen in the first place. Councilor W. Steere stated that zoning says no. K. Johnson stated that we enforce what we need to enforce, based on complaints, but if he told everybody that they could not park their 1½ ton truck in their driveway at night, this room would be full of people objecting. Councilor W. Steere stated that we need to change zoning. K. Johnson stated that he has asked to have that zoning amendment changed because a 1½ ton truck is different today than it was 30 years ago.

Lisa Jepson, of 160 Bungy Road, mother of the individual, spoke on her son's behalf, stating that

this incident was one (1) incident when trees were being cut down. L. Jepson stated that the truck was only there to pick up some equipment. Councilor Forgue stated that we have many people in town who park trucks in their yard so it would be hard to change the entire ruling. Councilor Reichert stated that the property is located on a main route with a lot of traffic. Councilor Forgue pointed out that there is a big garage on the property.

Councilor Henry asked what was the complaint. Councilor Forgue replied that they were taking trees down one day and the truck was left on the street idling.

There was discussion regarding the type of equipment owned by Mr. Jepson. Councilor Forgue asked L. Jepson if she is asking the Council to let her son park one (1) flatbed truck in the yard. L. Jepson replied in the affirmative. Councilor Reichert stated that something should be in writing.

Tim Kane, Town Solicitor, suggested that K. Johnson write a letter to Mr. Jepson confirming that he will be parking one (1) truck behind his property and any activity beyond that will result in zoning enforcement action.

Councilor G. Steere stated that the previous business was there prior to zoning and the owner was allowed to put the garage up, but that house was vacant for years with no business. Councilor Forgue stated that Mr. Jepson must be mindful that he is in a residential zoned area and he needs to respect that. L. Jepson stated that her son is aware of that and what happened was an accident.

Councilor G. Steere stated that no motion is necessary as K. Johnson will take care of sending a letter.

H. Discussion and/or Action: Question as to whether to support legal challenge to the state's new lifetime contracts law, Public Law 2019, Chapters 15 and 16

Councilor G. Steere stated that the Council received correspondence from the League of Cities and Towns stating that a lawsuit has been filed by 16 cities and towns against the Governor, the Speaker of the House and the Senate President regarding the lifetime contracts law. There was Council discussion regarding whether to support that. Councilor G. Steere asked Tim Kane, Town Solicitor, for his opinion. T. Kane stated that he does not know if the action will be successful. There was Council discussion regarding the expense of joining the lawsuit. T. Kane stated that he will research the matter.

MOTION was made by Councilor Henry to TABLE Question as to whether to support legal challenge to the state's new lifetime contracts law, Public Law 2019, Chapters 15 and 16 until the next Town Council meeting; seconded by Councilor Forgue.

Discussion: None.

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

MOTION PASSED

- X. Town Council Correspondence/ Discussion
- A. Councilor G. Steere stated that a letter was received from the Keep Blackstone Valley Beautiful organization thanking the community for helping out with litter cleanups, etc.
 - B. Councilor G. Steere stated that a letter was received from Jim Farrell thanking the Council for approving an exception from the Gloucester Community Septic Program for his property on Main Street.
 - C. Councilor G. Steere stated that a letter was received from the North Smithfield Public School System asking for support of their Resolution regarding school trip legislation.
 - D. Councilor G. Steere mentioned a letter from a taxpayer who moved out of town for 2 ½ years and has now bought a house in town again. Councilor G. Steere stated that the taxpayer is looking for an exception from the 2-year rule regarding elderly exemptions. Councilor W. Steere stated that the Ordinance is pretty clear. Councilor G. Steere agreed and stated that it says there will be no exceptions.
- XI. Department Head Reports/Discussion
- A. Councilor W. Steere thanked Bob Shields, Recreation Director, and all who were involved in tonight's event. Councilor Henry noted that for our first tree lighting ceremony three (3) years ago, George Charette donated the Christmas tree. Councilor G. Steere stated that G. Charette has put a lot of time in for this town and if not for his persistence, there would not be a tree lighting at the Pavilion. Councilor Fogue stated that the Council should consider a Citation for George.
 - B. Councilor Henry stated that last year, when the Pavilion was closed down, big cement blocks were placed in front of the Pavilion driveways. Councilor Henry stated that she got comments that it didn't look great in the Village and asked if we could just put up a cable that said "Closed for the season". Jean Fecteau, Town Clerk, stated that she and the Director of Public Works have looked into having gates installed at a cost of \$5,000. Councilor Henry stated that would be in the next budget year and asked about this season. Councilor W. Steere asked why we have to put anything. Councilor Reichert, liaison to the Department of Public Works, stated that he will discuss this with the Director.
 - C. Joseph DelPrete, Chief of Police, stated that he will ask the Council to appoint two (2) new recruits for the next training starting in January.
- Chief DelPrete stated that tonight the Police Department made an arrest in the recent BB gun incidents. There was discussion concerning car break-ins and Chief DelPrete warned people not to leave keys or other items in their vehicles.

XII. Bds. and Commissions Reports/ Discussion

- A. Walter Steere, School Committee member, spoke regarding proration at the schools, stating that the sub-committee had a meeting last month that did not go well. W. Steere stated that instead of going by students at the school, the Foster members want to go by population. W. Steere stated that the committee wanted to discuss charter review, which is not the charge of the committee. W. Steere stated that Foster wants to change the charter to allow them to regionalize without the vote of Gloucester. There was further discussion regarding regionalization.
- B. Roy Najecki, Conservation Commission, asked if the Council wants to limit hunting at the Veterans Memorial Park to Gloucester residents and if they want to limit the type of hunting allowed. Councilor G. Steere stated that this will be addressed at the Public Hearing for the Ordinance. R. Najecki also stated that there are two (2) ponds on the property and wondered if DEM would stock them with trout. There was further discussion regarding limitations currently on Land Trust and Conservation Commission properties.

Judy Branch, Director of Human Services, spoke regarding the above-mentioned property, stating that she and her children were born and raised there when her grandfather owned the property. J. Branch stated that one of her sons now lives in Burrillville and the other lives in Scituate, therefore she would like to see non-Glocester residents allowed to hunt there. Regarding the two (2) ponds, J. Branch stated that they were always stocked.

XIII. Open Forum

- A. Councilor Forgue stated that he was approached by the Building Official who was concerned about a property that had a water problem in the basement. Councilor Forgue stated that it was a hoarder situation and the firemen had to get suited to get through the house. Councilor Forgue also stated that the Building Official mentioned that there are some homeless people in Town as well. Councilor Forgue commented that the Northwest communities are neglected by the State and suggested that we work with Scituate and Foster to see if there is something we can do for these citizens of our community.

Councilor Henry noted that the Director of Human Services deals with this a lot and has given money to people to put them up in a hotel. Judy Branch, Director of Human Services, stated that when she first took this job, we had 17 homeless people. Jean Fecteau, Town Clerk, stated that the majority of them don't want our help. Regarding the house with the water problem, J. Branch stated that you cannot make somebody leave if they do not want to. Councilor Forgue expressed concern about elderly people living without heat in cold weather.

Joseph DelPrete, Chief of Police, spoke from his seat and was inaudible on the recording. J. Fecteau stated that if the Building Official feels it is a dangerous situation, he could put a sticker on the house and we could deal with it. Councilor

Forgue again recommended getting together with the other towns to try to figure out what we can do. Councilor Forgue offered to spearhead the effort.

Roy Najecki stated that the churches could possibly be of assistance. Councilor Henry noted that there is also the mental health issue. Councilor Forgue stated that his point is that if the Building Inspector walks into a home and sees two (2) elderly people with no heat, is there a liability issue because he is aware of it. Tim Kane, Town Solicitor, stated that he does not believe so.

Councilor Forgue suggested coming up with a list of places that people can call when they need to stay someplace while getting their heat fixed. Councilor Henry commented that the Building Official is bothered by these situations. J. Branch agreed that he is passionate about it, but you can only do what you can do.

XIV. MOTION was made by Councilor W. Steere to Convene to Executive Session Pursuant to:

- A. R.I.G.L. 42-46-5 (a)(2) Collective Bargaining - Contract Negotiations - Discussion and/or action
 - 1. Local Union #1322 - Town of Gloucester Clerks
 - 2. Local Union #1322 - Police Department Civilian Employees

seconded by Councilor Henry.

Discussion: None.

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

MOTION PASSED

XV. Reconvene Open Session

Disclosure of votes taken or # of votes taken in Executive Session - Discussion and/or Action

Councilor G. Steere stated for the record that no votes were taken in Executive Session.

MOTION was made by Councilor W. Steere to SEAL the minutes of Closed Executive Session Pursuant to R.I.G.L. 42-46-5; seconded by Councilor Henry.

Discussion: None.

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

MOTION PASSED

XVI. Union Contract Ratification:

- A. Local Union #1322 - Town of Gloucester Clerks

MOTION was made by Councilor W. Steere to TABLE the successor agreement between the Town of Gloucester & the Local Union #1322 Town of Gloucester Clerk for the period 7/1/2019 to 6/30/2022; seconded by Councilor Forgue.

Discussion: Councilor G. Steere explained that there are changes to be made to the language and the Council can get this done at the next meeting.

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

MOTION PASSED

B. Local Union #1322 - Police Department Civilian Employees - Discussion and/or Action

Discussion: Tim Kane, Town Solicitor, stated that extra benefits, such as dental and vision optical benefits, are in the contract and he wants to make sure that it is not retroactive to July 1, 2019. T. Kane stated that it is effective upon signing this agreement. Diane Brennan, Finance Director, spoke but was inaudible on the recording. T. Kane advised the Council to ratify the agreement, subject to a change in Article 8, Section 2A.

MOTION was made by Councilor Forgue to RATIFY the successor agreement between the Town of Gloucester & the Local Union #1322 Police Department Civilian Employees for the period 7/1/2019 to 6/30/2022, subject to the change in Article 8, Section 2. regarding the availability of additional benefits as they become available through the Trust; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

XVII. MOTION was made by Councilor W. Steere to Adjourn at 10:50 p.m.; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED