

At a meeting of the Town Council holden in and for the Town of Gloucester on September 17, 2020:

Pursuant to R.I. Executive Orders # 20-05 and # 20-25 executed by Governor Gina Raimondo this meeting is being teleconferenced via Zoom.

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: Matt Floor, IT Director; Jean Fecteau, Town Clerk; David Igliozzi, Town Solicitor; Joseph DelPrete, Chief of Police; Christine Mathieu, Deputy Town Clerk; Ken Johnson, Bldg/Zoning Official; Karen Scott, Town Planner; Gerry Mosca, EMA Director; Adam Muccino, Finance Director.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

Councilor G. Steere reminded the Council that there may be some people joining this meeting by telephone or without video capability so Council members should identify themselves when speaking particularly when making or seconding a motion.

Councilor G. Steere went on to explain the procedure for the zoom meeting and stated that participants expressing inappropriate behavior or being disruptive may be removed from the meeting by the moderator.

IV. Open Forum - For Agenda Items

Councilor G. Steere stated those wishing to speak, should raise their hand and Karen Scott will recognize those that wish to speak in turn.

None

V. Public Hearings

- A. Liquor License - Expansion of Service Area (to Outside area)  
Harmony Lodge Restaurant, LLC  
d/b/a Harmony Lodge Restaurant  
Location of Business: 102 Putnam Pike  
Discussion and/or Action

Councilor G. Steere stated this Public Hearing was advertised in the Valley Breeze Observer on September 3<sup>rd</sup>, and September 10<sup>th</sup>.

Councilor G. Steere DECLARED the Public Hearing OPEN

Councilor G. Steere stated the applicant has applied for an expansion of service area to serve alcohol on a new outside deck.

Councilor G. Steere stated anyone wishing to speak, raise your hand as previously explained and you will be recognized.

Discussion:

Cathy Hamill, speaking on behalf of her son Michael Fournier, applicant. Ms. Hamill explained the applicant is filing for an expansion of the liquor license to be able to serve alcohol on the newly built deck which was built in order to serve outside due to the COVID pandemic.

Councilor G. Steere DECLARED the Public Hearing CLOSED.

Councilor G. Steere stated that the Building Inspector and the Fire Chief have both signed off on the property. Councilor W. Steere verified from C. Hamill, that there will not be a covering over the deck, just tables with umbrellas. Councilor Henry inquired as to heaters on the deck and C. Hamill replied there would not be heaters at this time.

MOTION was made by Councilor Forgue to GRANT the Expansion of Service Area for the existing BV License for applicant: Harmony Lodge Restaurant, LLC, d/b/a Harmony Lodge Restaurant, Location of Business: 102 Putnam Pike with the following stipulations:

1. The updated service area diagram shall be adhered to and not increased without further hearing.
2. The combined indoor and outdoor capacity, at any time, shall be no more than the legal capacity as sited for the interior of the building
3. The same laws and rules regarding Alcohol Service Certification that apply to indoor alcohol servers are to be strictly enforced
4. No patron shall leave the deck area with any alcoholic beverage
5. The licensee shall provide sufficient monitoring of the outside area
6. The granting of the outdoor service of alcohol is not transferable in the event that this business is sold or transferred to any other person and/or entity.
7. Entertainment is prohibited in the patio area.
8. Outdoor service of alcohol will cease at 10:00 PM
9. Additional lighting shall not encroach on neighboring property owners.
10. Violation of these stipulations may cause for revocation of Outdoor Service with no further action necessary by Licensing Board.

seconded by Councilor Reichert

Council Discussion: none

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue -Aye

Councilor Henry -Aye

Councilor Reichert -Aye

Councilor W. Steere -Aye

Councilor G. Steere -Aye

MOTION PASSED UNANIMOUSLY

- B. Entertainment Special Event License  
The Abandoned Dogs of RI Rescue  
d/b/a ADRI Adoption Center & Pet Services  
LOCATION: 29 & 33 Paris Irons Road  
The Event is proposed for September 26th & 27th , 2020  
Discussion and/or Action

Councilor G. Steere stated this Public Hearing was advertised in the Valley Breeze Observer on September 3, 2020

Councilor G. Steere DECLARED the Public Hearing OPEN

Discussion:

Councilor G. Steere stated this application is for a proposed two day Special Event including a food truck, a live band, alcohol, games of chance, and a campfire with maximum attendance proposed at 150 people.

Councilor G. Steere stated that Jean Fecteau, Town Clerk, has heard back from the Police Chief, who questions this event in a neighborhood and in light of Covid restrictions.

Councilor G. Steere read the memo they received from the EMA Director, Gerry Mosca, into the record:

After reviewing the license application for the Abandoned Dogs of RI event I have 3 comments:  
Comment (1) The application identifies that there will be an outside bar with bar service. State guidance is as follows:

“Bars and bar areas: Through their seating arrangements and approach to serving customers (seated service only), bars should appear very similar to restaurants. Bars and bar areas (including sushi bars, raw bars, and other food prep areas with bar seating) may be operated in one of three ways:

- Option 1: There are functioning bar work areas (e.g. drink making stations, dishwashing stations, glassware storage) with no bar seating, and the bar area is closed to customers (roped off or otherwise separated from the rest of the establishment).
- Option 2: There is bar seating with no functioning bar work areas (e.g. no drink making stations, dishwashing stations, glassware storage). No staff are permitted to work behind the bar. Parties must be seated at bars, and parties must be spaced at least six feet from one another.
- Option 3: There are functioning bar work areas (e.g. drink making stations, dishwashing stations, glassware storage) and bar seating if there is a rigid, non-porous barrier (e.g. Plexiglas, plastic glass, etc.) of an appropriate height separating customers from the bar space. Parties must be seated at bars, and parties must be spaced at least six feet from one another.

Staff may serve seated customers drinks and food through a gap or opening in the barrier, provided that this gap or opening in the barrier is no more than 8 inches and working bar areas (e.g. drink making stations or glassware storage) are located at least 6 feet from these gaps. Establishments are strongly encouraged to minimize the number and size of these gaps.”

Service to standing customers (e.g. in a bar area) is prohibited with the exception of food pick-up or in accordance with one of the above options, including outside bars, other than those options servers should be used to deliver drinks to prevent lines at the bar.

Comment (2) The “sign in” information that they have indicated they will obtain from guests and

volunteers must be kept by the organization for a minimum of one month from the date of the event. Also, the Event Control Plan should be completed by the organizers.

Comment (3) They are requesting 150 attendees. This event can come under a “catered event” and therefore is limited to 100 people for an outdoor setting (staff, planners and servers are excluded and not counted as part of the 100). They apply to the state for an exception if they would like 150 at one time.

(End of memo)

Councilor G. Steere read correspondence from two residents whose properties abut the proposed event site into the record both of which were not in favor of the event due to multiple safety concerns:

Re: Town of Glocester  
License Application  
Entertainment/Special Event  
ADRI Adoption Center & Pet Services

Dear Town Council Members,

We’re writing this to express our concern about the above referenced license application which is scheduled to be heard at the September 17, 2020 Town Council Meeting.

We understand the meeting will be accessible via Zoom but unfortunately we do not currently have speaker access on our personal computer and one of us will be working at the time of the meeting but we do want to add our voices to the hearing.

As we live directly across the street from the proposed event site we have a number of concerns that we would like addressed and would appreciate a response to:

How does said application and the maximum number of attendees set at 150 relate to the State’s COVID Regulations for outside gatherings?

It appears the number suggested is under the State’s requirements and safety measures for outside events however the application indicates that event volunteers will oversee – who from the Town will regulate and make sure all regulations are adhered to?

The application indicates alcohol will be served at no charge (only that a donation will be asked for from the attendees) - will there be limits set as this appears to be similar to an open bar - will there be police presence during scheduled Event hours?

The application advises Live Music will be one of the activities offered – will the Live Music shut down at end of scheduled Event hours – especially Saturday evening?

The application mentions a campfire during early evening - rumor has it that overnight camping on the premises will be allowed.

Concerning comments found on Facebook from the “2019 Rednecks to the Rescue” event which was held on quite a bit of acreage in Foster, RI indicates the following:

*The event officially ends at 7pm but anyone who has attended in the past knows that we light a fire when the sun goes down and party until the sun comes up! Tents are welcome so you can have fun*

*and safely get home in the morning. Plenty of land!*

This Event is promoted as a Fund Raiser with specific hours posted on the application once the event has ended all attendees should be required by the Town to disperse as this type of “partying” is totally unacceptable for the current Event location - a residential street/neighborhood.

Any after-hours gathering should then be considered a “private gathering” to which State COVID regulations should apply which we all know is a total of 15.

The application also mentions that additional parking has been secured from neighbors – our guess is it’s further up Paris Irons Road which after dark could make walking to said parking dangerous to both pedestrians and drivers as the street is not lit.

We don’t want to be considered “bad neighbors” and we don’t totally disagree with the application however we feel our concerns are legitimate and ask that the Council take all of the above into consideration when voting on this application.

Thank you for your time and we await your response to all of the above.

Kind regards,  
Paul & Elaine Daigle  
16 Paris Irons Road  
(end of memo)

Also for the record:

From: Deborah Silva  
To: Jean Fecteau  
Subject: ADRI special event  
Date: Thursday, September 17, 2020 8:49:56 AM

I am an abutting neighbor and I am totally against this event. Local businesses are still unable to open due to Covid restrictions and are losing money daily. The donation for liquor is a really bad idea , sounds like a recipe for disaster. This property is not a good location for this type of event and with the pandemic restrictions this special event permit should not be approved.

Deb and Rick Silva  
45 Paris Iron Rd  
(end of memo)

Discussion:

Councilor G. Steere gave a reminder that anyone wishing to speak should raise your hand per the instructions and you will be called.

Erika Danielson, applicant, stated that they had secured another location out of town and would not be holding the event on September 26, 2020 in Glocester but would like to hold a smaller event on September 27, 2020. The applicant stated it would be a 3 hour catered brunch for 50-70 people with alcohol and acoustic guitar. Attorney Iglizzi stated that any modifications are in line with the original application. Councilor Henry stated she wanted to go issue by issue to be sure as to what was going to be done. J. Fecteau , Town Clerk, stated the applicant would need to apply for an F1 (a 1 day) liquor license . G. Mosca, EMA Director, stated that if they used a licensed caterer then they are able to serve alcohol. G. Mosca stated that the alcohol must be served to people at tables by certified servers in order to be in compliance with COVID concerns of not having people standing

in lines. Councilor W. Steere inquired as to the town's exposure regarding liability. Attorney Igliazzi responded that the liability is on the host of the event. Councilor W. Steere asked about parking. Chief Delprete requested the applicant be required to send him a parking plan and if it is all off road then he won't have a problem. J. Fecteau, Town Clerk, asked if the applicant had a tip certified server and the applicant said she did. Councilor Reichert expressed his opinion that all of this was a lot of work for a 3 hour brunch considering the worries of COVID restrictions and safety. Councilor W. Steere stated that the event ends at 2 PM with no one lingering. Councilor Henry stated that she spoke with the Town Clerk of Foster and they had nothing negative to say. Councilor Henry stated the applicants need to be mindful of their location, the neighbors, it is a narrow road and it is a lot of work to do for a 3 hour event especially with a big event planned for the day before.

Council reviewed the proposed motion.

Councilor G. Steere DECLARED the Public Hearing CLOSED

MOTION was made by Councilor Henry to GRANT the Entertainment Special Event License for applicant: The Abandoned Dogs of RI Rescue, d/b/a ADRI Adoption Center & Pet Services, LOCATION: 29 & 33 Paris Irons Road, Date: Sunday, September 27, 2020 Time: 11:00 AM to 2:00 PM with the following STIPULATIONS :

1. Liquor to be served by certified server to people at seated tables of no more than 6 and socially distant
2. Parking plan on file with Chief of Police
3. No more than 70 people at one time
4. State Covid guidelines to be followed
5. Licensed caterer
  - a. with a class P license
  - b. or if no class P then she must apply to town for an F1 license
6. No on street parking

Seconded by Councilor J. Forgue

Council Discussion: none

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue -Aye

Councilor Henry -Aye

Councilor Reichert -Aye

Councilor W. Steere -Aye

Councilor G. Steere -Aye

MOTION PASSED UNANIMOUSLY

VI. Consent Items - Discussion and/or Action

- A. Approval of Town Council Minutes: Regular meeting of September 3, 2020
- B. Tax Assessor's Additions & Abatements - 2020
- C. Finance Director's Report - August 2020

MOTION was made by Councilor Henry to APPROVE the Town Council minutes of September 3, 2020; to APPROVE the August 2020 ABATEMENTS to the 2020 Tax Roll in the amount of \$178.55; the August 2020 ADDITIONS to the 2016 Tax Roll in the amount of \$10.00; the 2017 Tax Roll in the amount of \$10.00; the 2018 Tax Roll in the amount of \$10.00; the 2019 Tax Roll in the amount of \$10.00; and the 2020 Tax Roll in the amount of \$4,137.51; and to ACCEPT the Finance Directors Report for August 2020; seconded by Councilor Forgue

Council Discussion: Councilor Henry thanked A, Muccino, Finance Director, for an informative and succinct report.

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue -Aye  
Councilor Henry -Aye  
Councilor Reichert -Aye  
Councilor W. Steere -Aye  
Councilor G. Steere -Aye

MOTION PASSED UNANIMOUSLY

VII. Unfinished Business

- a. Bds. and Commissions
  - 1. Appointments - Discussion and/or Action
    - a. Land Trust - One five year term to expire 2/2022

Discussion: Town Council members discussed potential appointees. Councilor W. Steere stated he had not heard any recommendations from the Chair. Councilor W. Steere will reach out to an interested talent bank member.

MOTION was made by Councilor Forgue to TABLE the appointment to the Land Trust for a five year term to expire 2/2022 seconded by Councilor Henry

Council Discussion: none

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue -Aye  
Councilor Henry -Aye  
Councilor Reichert -Aye  
Councilor W. Steere -Aye  
Councilor G. Steere -Aye

MOTION PASSED UNANIMOUSLY

b. Zoning Board - Alt. #2 - One year term to expire 1/2021

J. Fecteau, Town Clerk, stated that she had reached to G. Meinertz, Zoning Board Chair, and he stated he will be responding back to the Town Clerk.

MOTION by Councilor Forgue to TABLE the appointment to the Zoning Board, Alt. #2 position for the one year term to expire 1/2021; seconded by Councilor Reichert

Council Discussion: none

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue -Aye  
Councilor Henry -Aye  
Councilor Reichert -Aye  
Councilor W. Steere -Aye  
Councilor G. Steere -Aye

MOTION PASSED UNANIMOUSLY

- B. Community Septic System Loan Program - Discussion and/or Action
  - 1. Request for Exception - Debt to Income Ratio  
95 Putnam Pike - Discussion and/or Action

Councilor G. Steere stated that the Finance Director has received a request for consideration of an exception to the debt to income ratio for a Septic Loan Program application. Councilor G. Steere continued that the Council has received a memo from the Finance Director with a recommendation to Council which he read into the record:

To: Honorable Town Council  
From: Adam Muccino, Finance Director  
Memo: Loan Exception  
Date: September 14, 2020

The Town has received a request from a Gloucester homeowner seeking a septic loan from RI Housing. The homeowners, Joseph & Emily Such, do not meet the guidelines for RI Housing to issue the loan, as a result, the Council is asked to consider the loan as an exception. The property is located at 95 Putnam Pike and has an assessed value of \$148,200.

I have spoken with Mr. Such who confirmed the dire need for action as their septic system has failed. Please note the attachments from RI Housing which provide more detail in regards to the Such's application.

Considering all of this, it is my humble recommendation to the Council that this exception be approved, allowing Joseph & Emily Such to move forward obtaining financing through the Town of Gloucester's Community Septic Loan Program through Rhode Island Housing.

Respectfully submitted,  
Adam R. Muccino  
(end of memo)

Councilor G. Steere inquired of A. Muccino, Finance Director, as to his research and stated this is a grant program. A. Muccino, Finance Director, responded that Mr. Such is employed, his wife is

on Social Security, that they can make this work and this situation is the reason for this Town program.

MOTION was made by Councilor Forgue 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 95 Putnam Pike owned by Joseph and Emily Such; seconded by Councilor Henry

Council Discussion: none

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue -Aye  
Councilor Henry -Aye  
Councilor Reichert -Aye  
Councilor W. Steere -Aye  
Councilor G. Steere -Aye

MOTION PASSED UNANIMOUSLY

VIII. New Business

A. Covid-19 Updates/Actions

1. EMA Update - Discussion and/or Action

Discussion:

G. Mosca, EMA Director, stated that Gloucester currently has a positivity rate of 4% with 67 positive cases. G. Mosca continued that he is still preparing the MED PODS for the administration of a vaccine. G. Mosca stated he has a walk through scheduled at Ponaganset High School (PHS) with people from Foster and Scituate as that is the central location to be used for the vaccine. G. Mosca stated that Gloucester would aid Foster and Scituate at their vaccine locations after the PHS central location for the vaccine is closed. G. Mosca recommended extending the Gloucester Emergency Declaration. Council members discussed the date to extend the emergency order to with Attorney Iglizzi stating that the Governor's current order is in effect to October 10, 2020. G. Mosca, EMA Director stated that as long as the State has an emergency order he would continue the Town's emergency order. Councilor G. Steere introduced amending the order of acoustic music to Harmony Lodge as that is what other establishments are currently allowed to do. Attorney Iglizzi stated that the Town Council has wide powers now due to COVID so if the Council wanted to give Harmony Lodge the permission to have acoustic music then that would be valid if all the Council members agreed. Council discussion as to whether to extend to all restaurants in town. Councilor W. Steere stated we should extend to Harmony Lodge especially as the season is winding down; if there is an issue then we can stop the use. Councilor W. Steere stated so long as it is just acoustic.

2. Emergency Declaration Status, Extension, and/or Amendments  
(Currently in place until 9/17/2020) -  
Discussion and/or Action

MOTION was made by Councilor P. Henry to extend the Emergency Order to October 15, 2020 with the amendment that any restaurant with outdoor seating can have non amplified acoustic music

seconded by Councilor Reichert

Council Discussion: none

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue -Aye  
Councilor Henry -Aye  
Councilor Reichert -Aye  
Councilor W. Steere -Aye  
Councilor G. Steere -Aye

MOTION PASSED UNANIMOUSLY

- B. Personnel
  - 1. Appointment - Discussion and/or Action
    - a. Clerk II - Town Clerk's Office

Council has received a request from the Finance Director regarding this appointment which Councilor G. Steere read into the record:

To: Honorable Town Council  
From: Adam Muccino  
Date: 9/15/2020  
Subject: Appointment of Clerk II for the Town Clerk's Office

Council Members,

As you are aware, there is a vacancy in the Town Clerk's office given the recent retirement of the Senior Clerk. In order to fully staff this Department, in advance of the upcoming Presidential Election, and for the new hire to come on board and begin training as soon as possible, it is my recommendation that the Council appoint Dawn Amaral to the position of Clerk II in the Gloucester Town Clerk's Office.

After reviewing a number of applications with the Town Clerk and sitting in on the interview process it is clear to me that Dawn possesses the skill set and personality necessary to be an effective member of the Team in the Town Clerk's Office. I request that the appointment be effective beginning October, 5 2020 at a yearly salary of \$44,187 plus a full standard benefit package in accordance with the Gloucester Town Employee Handbook.

Respectfully Submitted,  
Adam R. Muccino  
(End of memo)

Discussion:

Councilor Henry asked if the position was advertised. A. Muccino, Finance Director, stated that the applicants were selected from people who applied within the last year ; that was advertised and ,that it had been posted to town employees first.

MOTION by Councilor Forgue to APPOINT Dawn Amaral to the position of Clerk II - Town Clerk's Office at an annual salary of \$44,187 and to include a benefit package per the Clerk's Collective Bargaining Agreement; said appointment effective October 4, 2020 and is subject to a

six month probation period; seconded by Councilor Reichert

Council Discussion: none

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue -Aye  
Councilor Henry -Aye  
Councilor Reichert -Aye  
Councilor W. Steere -Aye  
Councilor G. Steere -Aye

MOTION PASSED UNANIMOUSLY

- C. Bid Award - Discussion and/or Action
  - 1. IFB 2021-01 Roll Off Container Truck

Council has received a recommendation from the Finance Director which Councilor G. Steere read into the record:

To: Honorable Gloucester Town Council  
From: Adam Muccino, Finance Director  
Date: 09/17/2020  
Re: Bid Award - IFB 2021-01 Roll Off Container Truck

The Voters of the Town of Gloucester approved a capital and operating budget of \$30,742,121, of which included funding of \$132,200 for a Roll-Off truck in support of the operations managed by Gloucester DPW at the Gloucester Transfer Station. This appropriation of \$132.2k in FY20 in addition to the FY19 capital carry forward for DPW of \$47,800 nets a total capital fund available to support this purchase of \$180,000.

An Invitation for Bid (IFB 2021-01) was posted in the Valley Breeze Observer in the 09/03 edition and on the Town of Gloucester's website from 9/11/2020 through 9/14/2020.

The Town received one bid in accordance with all the instructions for bidding from Peterbilt of Rhode Island, meeting the specifications provided by Gloucester DPW. Peterbilt of Rhode Island bid \$185,500.00 for the new Roll-Off truck and offered \$12,000 for the 1998 Peterbilt Roll-Off Model 357 in "as-is" condition; net cost is \$173,500.00.

The Board of Contracts met at 9:00 am on 09/16/2020 in the Gloucester Town Hall. Myself, Christine Mathieu, Deputy Town Clerk, DPW Director Gary Treml and Beth DeCorte, DPW Administrative Assistant were present. I verified with the DPW Director that the purchase price of \$185,500.00 included the extended warranty of 5 years- 200,000 miles, Engine and Emissions.

After this discussion, I made a motion to accept the bid IFB 2021-01 from Peterbilt of Rhode Island and all approved.

Therefore, it is my recommendation to the Town Council that the Council approve IFB 2021-01 from Peterbilt of RI and authorize DPW Director Gary Treml to purchase this Roll-Off Container truck in the amount of \$185,500.00 and a trade-in amount of \$12,000.00 for the 1998 Roll-Off Container Truck Model 357 the Town currently owns.

Respectfully submitted,  
Adam Muccino, Finance Director  
(end of memo)

Discussion: none

MOTION was made by Councilor Forgue to AWARD IFB 2021-01 Roll Off Container Truck to Peterbilt of Rhode Island at the bid price of \$ 185,000.00 ; seconded by Councilor Reichert

Council Discussion: Councilor G. Steere asked if the motion needed to include the trade in of \$12,000. Attorney Igliazzi stated that the motion should include the trade in money as the town is disposing of town property.

Councilor Reichert WITHDREW his Second, Councilor J. Forgue WITHDREW his Motion.

MOTION was made by Councilor Forgue to AWARD IFB 2020-01 Roll Off Container Truck to Peterbilt of Rhode Island at the bid price of \$185,000.00 with a trade in of the 1998 roll off truck of \$12,000.00, final cost at \$173,500.00 seconded by Councilor Reichert

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue -Aye  
Councilor Henry -Aye  
Councilor Reichert -Aye  
Councilor W. Steere -Aye  
Councilor G. Steere -Aye

MOTION PASSED UNANIMOUSLY

D. Gloucester Code of Ordinance - 1<sup>st</sup> Reading of Proposed Addition

1. Part 3 General Legislation, Chapter 254 Unruly Gatherings - Discussion and/or Action

Councilor G. Steere stated that Council has received the proposed ordinance for a 1<sup>st</sup> reading and it has been posted on the Town's website. Councilor G. Steere stated in lieu of reading the proposed ordinance Attorney Igliazzi can explain the concepts of the ordinance.

Attorney Igliazzi stated that he worked with Karen Scott, Town Planner, to resolve the issue of unruly gatherings, particularly as they apply to short term rentals, and has submitted a draft he modeled after the Narragansett Town ordinance. Attorney Igliazzi summarized the proposed ordinance as notice to the owner and occupant of the house; a posting of the notice at the house for 30 days; and , if the police were called to the house within the next 30 days then a fine of not more than \$500.00 would be imposed. Attorney Igliazzi stated that he picked 30 days for the posting of the notice but that the Council could select a different time. Councilor J. Forgue stated the only problem is these rentals are rented for a night at a time so there could be many renters within the thirty days. Discussion followed on the period of time. Council suggested a longer time, six months or 180 days.

Councilor Reichert raised the concern that this ordinance applies to all residents and the problem they are trying to correct is at one particular house. Councilor Henry stated she has a problem with the physical posting of a sticker. Councilor W. Steere stated that the issue is one house and not the entire town. Councilor W. Steere stated this can be discussed further at public hearing. Councilor Forgue asked why we can make this ordinance apply to just short term rental ordinance. Attorney

Igliozi stated that he could revisit this proposal with short term rental language and a different time period. . Chief Delprete stated that the Narragansett ordinance is directed towards hundreds of rentals where Glocester has an issue with one or two rentals so he offered to work with Attorney Igliozi. Attorney Igliozi asked the Council for a continuance of one meeting to work with the Town Planner and the Chief of Police as to the concerns that were raised by the Council before a public hearing date is set.

MOTION was made by Councilor Forgue to continue the First Reading to October 1, 2020; seconded by Councilor Reichert

Council Discussion: none

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue -Aye  
Councilor Henry -Aye  
Councilor Reichert -Aye  
Councilor W. Steere -Aye  
Councilor G. Steere -Aye

MOTION PASSED UNANIMOUSLY

- E. Consideration for Award & Authorization of Contracts by Town Council
  - 1. Conceptual Site Plan at Glocester Memorial Park - Discussion and/or Action
    - a. Award to Beta Group, Inc.
    - b. Authorization for Town Council President to sign contract

Councilor G. Steere read the memo Council has received from the Finance Director, serving as chair of the Board of Contracts and Purchases, into the record:

To: Honorable Town Council  
From: Adam Muccino, Finance Director  
Date: 09/17/2020  
Re: Conceptual Site Plan at Glocester Memorial Park

As the Town Council is aware, Town Planner, Karen Scott, is managing a grant from the RI Department of Environmental Management for the revitalization of Glocester Memorial Park. To start this process, the Town Planner has engaged Beta Group in accordance with the procurement process outlined in RIGL 44-55-8.1, specific to engineering firms, to create a conceptual plan for the park. The Town Planner, received a proposal from Beta Group, reviewed it and subsequently a Board of Contracts meeting was scheduled for Friday, September 11 2020.

The Board of Contracts convened in the Glocester Town Hall, in room 9 at 10:00 am. Present were, Myself, DPW Director Gary Treml, Town Clerk Jean Fecteau and Town Planner Karen Scott. After some brief discussion about the State purchasing process specific to engineering firms, a motion was made and seconded to accept the proposal from Beta Group, an engineering firm obtained from the State of Rhode Island's master price agreement, for a conceptual plan for Glocester Memorial Park; all approved.

Therefore, it is my recommendation to the Town Council that the Council authorize President

Steere to sign the contract before you and award the conceptual plan for the Gloucester Memorial Park to Beta Group for the amount of \$11,350 to be funded by the aforementioned RIDEM grant. Respectfully submitted,  
Adam R. Muccino  
(End of memo)

Discussion:

Councilor W. Steere asked if there is a time period involved. K. Scott, Town Planner, replied that the scope of work includes a time line of late November, early December for the ending before going on to the next part.

MOTION was made by Councilor Forgue to AWARD the Contract for Conceptual Site Plan at Gloucester Memorial Park to Beta Group, Inc. for the agreed upon amount of \$11,350 and to AUTHORIZE the Town Council President to sign said contract; seconded by Councilor Henry

Council Discussion: none

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue -Aye  
Councilor Henry -Aye  
Councilor Reichert -Aye  
Councilor W. Steere -Aye  
Councilor G. Steere -Aye

MOTION PASSED UNANIMOUSLY

2. Class I Survey of Sherman Lane - Discussion and/or Action
  - a. Award Insite Engineering Services LLC
  - b. Authorization for Town Council President to Sign Contract

Councilor G. Steere read the Council memo it received from the Finance Director, serving as chair of the Board of Contracts and Purchases, into the record:

To: Honorable Town Council  
From: Adam Muccino, Finance Director  
Date: 09/17/2020  
Re: Class I Survey of Sherman Lane

As the Town Council is aware, Town Planner, Karen Scott, is managing a grant from the RI Department of Environmental Management for the revitalization of Gloucester Memorial Park. Part of this process requires some survey work to obtain an understanding of the boundaries of the Town's easement on Sherman Lane.

The Town Planner obtained pricing from firms listed on the State of Rhode Island master price agreement list, MPA 461, Professional Land Surveying Services. Proposals were to be received by the Finance Office, by September, 8th, 2020 at 3:00pm. The Board of Contracts convened in the Gloucester Town Hall, in room 9 at 10:00 am. Present were, Myself, DPW Director Gary Treml, Town Clerk Jean Fecteau and Town Planner Karen Scott.

Three proposals were received:

- Bryant Associates - \$12,700
- Caputo & Wick, Ltd- \$7,483.75
- InSite Engineering Services LLC- \$5,700

After considering each proposal a motion was made and seconded to accept the proposal from Insight Engineering, a professional land surveying firm from the State of Rhode Island's master price agreement list, for a Class I survey of the easement the Town holds on Sherman Lane near Gloucester Memorial Park; all approved.

Therefore, it is my recommendation to the Town Council that the Council authorize President Steere to sign a contract and award the Class I survey contract to Insight Engineering Services LLC for the amount of \$5,700 to be funded by the aforementioned RIDEM grant.

Respectfully submitted,

Adam R. Muccino

(End of memo)

Discussion: none

MOTION was made by Councilor Forgue to AWARD the Contract for a Class I Survey of Sherman Lane to Insite Engineering Services LLC for the agreed upon amount of \$5,700 and to AUTHORIZE the Town Council President to sign said contract; seconded by Councilor Reichert

Council Discussion:

Councilor Henry asked if it was unusual for the bids to be so different and for the Town to select the lowest bidder. K. Scott, Town Planner, responded that she read all bids in detail and that they were comparable. K. Scott continued that there are a lot of factors that go into a proposal such as the size of the firm, the distance to travel, if they have done work for the Town before and other factors.

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue -Aye

Councilor Henry -Aye

Councilor Reichert -Aye

Councilor W. Steere -Aye

Councilor G. Steere -Aye

MOTION PASSED UNANIMOUSLY

F. Request for Town Council Authorization - Discussion and/or Action

1. Request for authorization to allow the issuance of building permits – Pond View Court

Councilor G. Steere read a request the Council received from the Town Planner into the record:

To: Town Council

From: Karen Scott, Town Planner

Date: September 11, 2020

RE: Building Permits- Pond View Estates

On December 9, 2020, the Planning Board granted Final Plan approval to Pond View Estates, a 6 lot major subdivision. On September 3, 2020, a final plat was recorded creating the new lots. According to the Subdivision Regulations, Section 300-32 F, Construction and Improvement Guarantees, Building Permits, building permits shall not be issued for any lot within a subdivision prior to the acceptance of the subdivision streets by the Town Council for maintenance and ownership. At their December 9, 2020 meeting, the Planning Board recommended a waiver of this requirement to the Town Council, upon formal request by the applicant, to allow for the issuance of building permits on individual lots, as:

1. All public improvements to the street fronting on the lots to be issued a building permit have been certified complete by the Public Works Director, with the exception of the final bituminous layer, for which the Town holds a Letter of Credit.
2. All lots meet all of the requirements established for the issuance of building permits in Chapter 145 Building Permits.

Adler Brothers Development LLC have formally requested permission to obtain building permits for the six (6) lots that have been recently been created in Pond View Estates.

The new roadway, Pond View Court, will be presented to the Town Council for acceptance once the house and roadway construction is complete.

I will be present at the September 17, 2020 Town Council meeting to answer any further questions (end of memo)

Discussion: none

MOTION was made by Councilor Forgue to AUTHORIZE the issuance of up to 6 building permits, in Pond View Estates, on the roadway pending acceptance by the Town, known as Pond View Court, upon approval of applications by the Building Official; seconded by Councilor Reichert

Council Discussion: none

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue -Aye

Councilor Henry -Aye

Councilor Reichert -Aye

Councilor W. Steere -Aye

Councilor G. Steere -Aye

MOTION PASSED UNANIMOUSLY

G. Bds. and Commissions

1. Resignation- Discussion and/or Action

a. Parade Committee

Councilor G. Steere stated Council has received the resignation of Tanya Botelho, Chair, from the Parade Committee, effective November 1, 2020.

MOTION was made by Councilor Forgue to ACCEPT the resignation of Tanya Botelho from the Gloucester Parade Committee; seconded by Councilor Reichert

Council Discussion: Councilor Forgue thanked Ms. Botelho.

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue -Aye  
Councilor Henry -Aye  
Councilor Reichert -Aye  
Councilor W. Steere -Aye  
Councilor G. Steere -Aye

MOTION PASSED UNANIMOUSLY

2. Appointment - Discussion and/or Action
  - a. Parade Committee

MOTION was made by Councilor Forgue to TABLE the appointment to the Parade Committee; seconded by Councilor Henry

Council Discussion: none

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue -Aye  
Councilor Henry -Aye  
Councilor Reichert -Aye  
Councilor W. Steere -Aye  
Councilor G. Steere -Aye

MOTION PASSED UNANIMOUSLY

- H. Correspondence to Gloucester School Committee - Re: Day Care Use of School Bldgs. - Discussion and/or Action

Councilor G. Steere stated the Finance Director forwarded correspondence to the Gloucester School Committee reflecting the Town Councils concerns and questions from the last Council meeting. Councilor G. Steere explained the letter was sent yesterday because the School Committee had a MOA regarding the day care use on their agenda on Tuesday, September 15, 2020. Councilor G. Steere stated the letter is in Councils packet and was emailed to all.

Discussion:

Councilor G. Steere and Councilor Forgue commended A. Muccino, Finance Director, on his letter. Attorney Iglizzi also stated that there is some limited protection according to the Trust by the addition of a rider. A. Muccino, Finance Director, stated that he reached out to the Trust for this expanded coverage which will cover the Town in the event of a lawsuit as to infectious diseases up to \$10,000 per occurrence and that the expanded coverage was at no cost to the Town.

No action taken by the Council

- I. Authorization to Town Council President to Sign - Discussion and/or Action
  1. Full Release of Claims & Demands - Progressive Casualty Insurance, et als, Maynard, Shawn & Nadine

Council has received a recommendation from the Finance Director:

To: Honorable Town Council  
From: Adam Muccino, Finance Director  
Date: 9/16/2020

Re: 9/17/2020 Town Council Agenda Item I - Full Release of Claims & Demands - Progressive Casualty Insurance, etals, Maynard, Shawn & Nadine

As the Council may be aware, there was a motor vehicle accident in Town on 5/30/2020 on Putnam Pike, in front of the Pavilion at Kent Field. The accident resulted in damage to Town property (decorative lamppost and anchor, stone columns and stone wall, lighting load center) totaling \$64,196.00. The Town has received correspondence from Progressive Insurance, the insurance provider for the driver of the motor vehicle involved in the accident, detailing their client's coverage limits and requesting that the Town sign a "Full Release Of All Claims and Demands for Fixed Property Damage."

The driver was only insured up to \$50,000.00 in property damage which would leave a balance of \$14,196 to the Town. The DPW Director has indicated that repairs to the stone wall and columns and replacing the decorative lamppost and anchor can be done "in-house" at very little to no incremental cost to the Town. Should the Town accept this release, the \$50,000.00 from Progressive Insurance will cover the removal of the damaged lighting load center and installation and set-up of the new load center. As you can see from the itemized list (attached), the lighting load center is the "lions share" of the replacement cost. Should the Town refuse this full release, and try for the full amount of the replacement cost, the Town would need to take this matter to court, which will certainly bring incremental cost to the Town.

Therefore, it is my recommendation to the Council that the Council President be authorized to sign this release, the Town can finalize the repairs, and we can put this matter behind us.

Respectfully submitted,  
Adam R. Muccino  
(End of memo)

Discussion: Councilor Forgue asked if there were any grounds to get the difference. Attorney Igliazzi responded that the Town could pursue an asset check in a subrogation chain but that in his opinion the Town would be better off accepting the offer of \$50,00.00. Council discussed options. A. Muccino Finance Director, stated that G. Treml, Public Works Director, has parts he keeps which he can use to make some of the repairs so that would lessen the cost to the Town and make up some of the difference. Councilor Henry asked if the person responsible for the damage had contacted the Town to offer to make up the difference. A. Muccino, Finance Director, responded that he has not received notice of any contact.

MOTION was made by Councilor Forgue to AUTHORIZE the Town Council President to sign the Full Release of All Claims and Demands For Fixed Property Damage, in consideration of the receipt of Fifty Thousand 00/100 (\$50,000.00), thereby releasing Progressive Casualty Insurance

Company, Shawn Maynard, and Nadine Maynard from claims and demands resulting from a vehicular accident which occurred on or about May 30, 2020, at or near Route 44, in Chepachet, Rhode Island; seconded by Councilor Reichert

Council Discussion: none

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue -Aye

Councilor Henry -Nay

Councilor Reichert -Aye

Councilor W. Steere -Aye

Councilor G. Steere -Aye

MOTION PASSED

J. Land Trust

1. Hawkins Dam Funding - Discussion and/or Action

2. Registration of Vehicles and/or Equipment - Discussion and/or Action

Councilor G. Steere questioned if Councilor W. Steere, as liaison, has heard from Land Trust regarding these issues. Councilor W. Steere stated that he has not heard anything from the Land Trust regarding this issue. Councilor W. Steere stated that in his opinion the Land Trust comes to the Town to ask for money but in all other cases promotes being autonomous. Councilor Forgue stated that Land Trust wants a town license plate in order to be able to drive their Kubota vehicle between areas which requires crossing Route 44. Councilor G. Steere stated he did get a few emails on this subject. A. Muccino stated he researched and determined the Land Trust has two vehicles with Town plates that were done that way in the past. A. Muccino stated, after discussion with the Solicitor, that he believes the Land Trust is duly able to obtain their own registrations. Council discussion followed regarding the need to maintain separation between the Town and Land Trust. It was agreed that the Land Trust has the authority to obtain license plates so they do not need Town plates.

Councilor W. Steere stated he requested the Hawkins Dam funding to be placed on this agenda. Councilor W. Steere stated that Land Trust is still working with an engineer and that they are applying for a grant to fund the dam project and is unsure if the Town or Land Trust is the proper applicant. Councilor W. Steere stated he has not heard anything from the Land Trust. Councilor Henry asked who the proper party is to apply for the grant. Councilor Henry stated in her opinion the Land Trust is the proper party because they are autonomous. G. Mosca, EMA Director, stated that Land Trust is not eligible to apply as the funds are a FEMA mitigation grant which applies to the Town and not Land Trust. G. Mosca stated Land Trust would have to apply through the Town and that the deadline to apply is September 22, 2020. Councilors Forgue and W. Steere debated the role of a liaison. Councilors Henry and Forgue stated that in their opinion Land Trust should have come to this meeting and they have not heard from Land Trust in over a year. G. Mosca stated that the work gets paid for by the applicant first and then they would receive reimbursement. G. Mosca stated if the dam has not been maintained in ten years the Town would probably not be awarded a grant. G. Mosca continued that the email from Land Trust does not state scope of work. G. Mosca also stated a letter of intent is due by September 25, 2020 and a completed application is due in November. G. Mosca stated, with those deadlines in place the Land Trust has not given the Town

anything to date. Councilor J. Forgue stated if the Land Trust can't come forward and represent their plans to the Council we should move on.

Councilor W. Steere read the following email which was sent to Councilor G. Steere, Councilor W. Steere; J. Fecteau, S. St. Pierre, and Atty. Bevilacqua:

Good Day from the center of Pennsylvania Amish Country.

Our consultant is preparing the FEMA Grant Letter of Intent to submit early before the 25<sup>th</sup>. The Land Trust is prepared to host a ZOOM Meeting on September 22 to discuss the detail of the FEMA Grant. We are prepared to move forward with it. As well, we must approve the final portion of the preconstruction phase for Pare and to add an addendum to its contract to pay for the extra work required to answer some specific technical and engineering inquiries submitted by the chair of the Dam Safety Commission within DEM.

My question is whether the Town is the party to apply for the grant formally? We are prepared to revise the existing grant to meet the needs of this specific grant application.

It would be helpful if the council would prepare a letter committing to funding the project through a bond or grants given its high hazard classification. It can be vaguely written, and it would be helpful to the potential awarding of the grant.

Let me know your thoughts.

Steve  
(end of memo)

More discussion followed on the lack of information and the fact that no one was present this evening.

Councilor J. Forgue asked to move on.

No Action.

#### IX. Town Council Correspondence/ Discussion

1. Councilor G. Steere stated the Council has rec'd correspondence from D.O.T. regarding the rules for political signage on the side of highways.
2. Councilor G. Steere stated the Council has rec'd correspondence from a resident requesting Council's consideration for her application for a senior income-based credit exemption. **Place on October 1, 2020 Agenda.**
3. Councilor G. Steere stated Council has received an outdoor wood burning stove complaint on Saw Mill Road.

Councilor G. Steere questioned K. Johnson on the correspondence. K. Johnson stated the wood stove was in place before the ordinance was adopted. K. Johnson explained the ordinance exempts stoves in place before the ordinance was written. K. Johnson stated the neighbor, Mr. Amaral, would like to speak to Council.

Scott Amaral addressed the Council. Mr. Amaral stated he and his family are relocating because of health issues made worse by burning in the neighborhood. K. Johnson stated he can only suggest

a fan be installed in the stack. Councilor J. Forgue stated he would go see the neighbor and talk to him if that would help. Mr. Amaral stated they are moving now. Council discussed the possibility of amending the ordinance. Discussion also followed on this being the only complaint we have received.

Discussion followed on adding this issue to a future agenda. Councilors debated what item should go on agenda. Discussion followed on “bad neighbors” and outdoor wood burning stoves.

#### X. Department Head Reports/Discussion

J. Fecteau explained that the Clerk II appointment was made after reviewing applications received in December/January after Council approved that action. J. Fecteau clarified that the actions taken were correct and no advertising was necessary. J. Fecteau also stated that in house posting for union employees was done first.

J. DelPrete stated that his last dispatch hire has left and he will be seeking another candidate. The Chief also stated he is ready to bring information regarding municipal courts and stated Council should start the legislation that would enable a court if a court was ever proposed.

Ken Johnson updated the Council on the status of the Purple Cat building. K. Johnson reference a well in the property and an electrical pole close to the building. K. Johnson stated both of these issues are being worked on but there is no time frame at this point. K. Johnson will continue to monitor this issue.

A. Muccino explained a “Take it Outside” grant campaign being conducted by the Governor’s office. A. Muccino stated there is a short turn around time and that he is interested in applying. A. Muccino suggested trying to obtain funding for wifi connectivity at the pavilion. M. Floor explained ways we could get wifi at the pavilion. Based upon a consensus by the Council, A. Muccino will pursue items we can submit with this grant. D. Iglizzi stated grants need Council approval but perhaps the Executive Order could be used to authorize A. Muccino to go forward with this grant process.

#### XI. Bds. and Commissions Reports/ Discussion

Councilor W. Steere stated in regards to the day care being allowed to use our schools that Council should know they already benefit from a school bus route to their school.

#### XII. Open Forum

Councilor G. Steere stated anyone wishing to speak, raise your hand as previously described and the host will acknowledge you.

#### XIII. MOTION to Convene to Executive Session Pursuant to:

A. R.I.G.L. 42-46-5(a)5 Land Acquisition - Discussion and/or Action

1. Acquisition of real property for public purposes located behind 162 Chopmist Hill Road, also known as a portion of A.P. 14, Lot 92

MOTION was made by Councilor J. Forgue to Convene to Closed Executive Session pursuant to R.I.G.L. 42-46-5(a)5 Land Acquisition; seconded by Councilor P. Henry

Council Discussion: None

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue - Aye  
Councilor Henry - Aye  
Councilor Reichert - Aye  
Councilor W. Steere - Aye  
Councilor G. Steere - Aye

MOTION PASSED UNANIMOUSLY

After Executive Session:

XIV. Reconvene Open Session

Disclosure of votes take in Executive Session

MOTION was made by Councilor P. Henry to Reconvene Open Session, Disclose that no votes were taken in Closed Session, and to SEAL the minutes of Closed Executive Session; seconded by Councilor J. Forgue

Council Discussion: None

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue - Aye  
Councilor Henry - Aye  
Councilor Reichert - Aye  
Councilor W. Steere - Aye  
Councilor G. Steere - Aye

MOTION PASSED UNANIMOUSLY

XV. Discussion by Council, Vote or Other Action on:

A. Acquisition of real property for public purposes located behind 162 Chopmist Hill Road, also known as a portion of A.P. 14, Lot 92

1. Procuring quotes to retain an appraiser to conduct an appraisal of real property located behind 162 Chopmist Hill Road, also known as a portion of A.P. 14, Lot 92

MOTION was made by Councilor P. Henry to AUTHORIZE the Finance Director to obtain quotes per the Gloucester Procurement Policy and retain an appraiser to conduct an appraisal of the real property located behind 162 Chopmist Hill road, also known as a portion of A.P.14, Lot 92; for an amount not to exceed \$1,000. seconded by Councilor J. Forgue

Councilor President G. Steere requested the Clerk poll the Council:

Council Discussion: None

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue - Aye  
Councilor Henry - Aye

Councilor Reichert - Aye  
Councilor W. Steere - Aye  
Councilor G. Steere - Aye

MOTION PASSED

2. Appropriation of funds from Town Council Contingency fund for the purpose of retaining an appraiser to conduct an appraisal of real property located behind 162 Chopmist Hill Road, also known as A.P. 14, Lot 92

MOTION was made by Councilor P. Henry to AUTHORIZE the appropriation of funds from the Town Council's Contingency fund for the purpose of obtaining an appraisal for the real property located behind 162 Chopmist Hill Road, also known as A.P. 14, Lot 92 at an amount not to exceed \$1,000; seconded by Councilor J. Forgue

Council Discussion: None

Council Discussion: None

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue - Aye  
Councilor Henry - Aye  
Councilor Reichert - Aye  
Councilor W. Steere - Aye  
Councilor G. Steere - Aye

MOTION PASSED UNANIMOUSLY

XVI. Adjourn

MOTION was made by Councilor P. Henry to ADJOURN at 10:50 p.m.; seconded by Councilor J. Forgue

Council Discussion: None

Councilor President G. Steere requested the Clerk poll the council:

Councilor Forgue - Aye  
Councilor Henry - Aye  
Councilor Reichert - Aye  
Councilor W. Steere - Aye  
Councilor G. Steere - Aye

MOTION PASSED