

At a meeting of the Town Council holden in and for the Town of Gloucester on September 15, 2016:

I. Call to Order

The meeting was called to order at 7:30 p.m.

II. Roll Call

Members Present: Walter M. O. Steere, III, President; George O. (Buster) Steere, Vice-President; Edward C. Burlingame; and Steven A. Sette.

Member Absent: William E. Reichert

Also present: Jean Fecteau, Town Clerk; Tim Kane, Town Solicitor; Joseph DelPrete, Chief of Police; Diane Brennan, Finance Director; Gary Treml, Director of Public Works; Ken Johnson, Building/Zoning Official; and Karen Scott, Town Planner.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum - For Agenda Items

None.

V. Resolution- Sports Achievement: Jared Donaldson - Discussion and/or action

Councilor W. Steere stated that Jared and his family are Gloucester residents. Jared, who has been playing tennis since he was very young, recently made it to the third round of the U.S. Open and Council agreed we would like to express our support and recognition for Jared.

Councilor Burlingame read the following Resolution:

**RESOLUTION 2016-17
In Support of Athletic Achievement**

WHEREAS: Jared Donaldson, a Chepachet native, driven from an early age to excel at a sport known for its demand of strength, finesse, & focus is rapidly leaving his mark and gaining the attention of the tennis world with a third round “Best Singles” win at the 2016 U.S. Open ; and

WHEREAS: this nineteen year old athlete has previously played in the 2014 U.S. Open with a second round “Best Doubles” performance, the 2014 & 2015 Grand Slam Singles 1st round at the U.S. Open and has participated in many tournaments across the globe with a current ranking of 97th in the world; and

WHEREAS: The Gloucester Town Council is proud that one of “their own” has achieved these milestones through hard work and dedication and we wish to extend our heart felt

encouragement and support to Jared and his family; and

NOW THEREFORE, LET IT BE KNOWN, that the Town Council, Town Clerk, and all of Gloucester's residents express our sincerest congratulations to:

**JARED DONALDSON
GLOCESTER'S TENNIS RISING STAR**

Walter M.O. Steere, III
Gloucester Town Council President

Jean M. Fecteau, CMC, Town Clerk

Dated this 15th day of September 2016

seconded by Councilor G. Steere.

Discussion: Jared's mother, Rebecca Schultz, thanked the Council for honoring her son tonight. R. Schultz commented that Gloucester is a fantastic place to raise a family and it warms her heart that the Council thought of them. R. Schultz stated that the support of family and friends has and will help Jared on his path and this Resolution will mean a lot to him. Councilor W. Steere asked R. Schultz to let Jared know that Gloucester supports him and is on his side.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
 NAYS: 0

MOTION PASSED

VI. Consent Items - Discussion and/or action

- A. Approval of Town Council regular meeting minutes of Sept. 1st & special meeting of Sept. 8th, 2016
- B. Tax Assessors Additions & Abatements for August 2016
- C. Finance Directors Monthly Report for August 2016

MOTION was made by Councilor Sette to APPROVE the Town Council regular meeting minutes of September 1st & special meeting minutes of September 8th, 2016; to APPROVE the Additions to the 2016 Tax Roll in the amount of \$3,449.53 and the Abatements to the 2016 Tax Roll in the amount of \$4,635.36; and to ACCEPT the Finance Director's Report for August 2016; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
 NAYS: 0

MOTION PASSED

VII. New Business

- A. Appointment

1. Temporary Part Time Assessor- Discussion and/or action
Councilor W. Steere read the following request from Diane Brennan, Finance Director:

To: Honorable Town Council Members
From: Diane L. Brennan, Director of Finance/ HR
Date: September 15, 2016
Re: Approval for Temporary Help Assessor's Office

Applications for the position of Tax Assessor are being solicited until September 25, 2016. The position will be vacated on September 23, 2016. Jennifer Mooney, the current assessor, will be available to assist the town on a limited basis. Her schedule will allow for some time to transition a new assessor or provide help in the absence of an assessor. This will be on an as needed basis. I would like to exercise the option of employing her at her current salary if needed. Her current salary rate is \$27.12. I am looking for the council's approval to allow me to employ Jennifer during this interim period.

Currently, the town is undertaking a revaluation. There may be some interaction due to the revaluation as well. Although Jennifer has provided guidance on the near future tasks to be done in the assessor's office, based on the timing and experience of a new assessor, having Jennifer available on a limited basis would be in the best interest of the town.

I will be available for any additional questions or concerns regarding this request.
(End)

Councilor Burlingame stated that he has discussed this with the Finance Director and he feels that it is reasonable. Council members agreed.

MOTION was made by Councilor G. Steere to APPOINT Jennifer Mooney as Temporary Part Time Assessor, on an as needed basis, at the discretion of the Finance Director, effective September 23, 2016; at an hourly wage of \$27.12;

Seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
NAYS: 0

MOTION PASSED

- B. Board and Commissions
 - 1. Resignation
 - a. Affordable Housing Board - Discussion and/or action

Councilor W. Steere stated that the Clerk has received the resignation of Susan Monaghan from the Affordable Housing Board.

MOTION was made by Councilor Sette to ACCEPT the resignation, with regrets, from Susan Monaghan from the Affordable Housing Board; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
 NAYS: 0

MOTION PASSED

Councilor W. Steere thanked Susan for her service to the Town.

2. Appointment

a. Affordable Housing Board - Discussion and/or action

Councilor W. Steere stated that the Affordable Housing Board has not met in 2016. Jean Fecteau, Town Clerk, noted that there is currently no chair to call a meeting.

Councilor Burlingame suggested that this be tabled and the Council look at the Talent Bank applications to see who is interested. Councilor Sette agreed and stated that letters could be sent to those who may wish to be appointed.

J. Fecteau questioned that if a meeting cannot be called without a chair, why continue to appoint people to the board. J. Fecteau stated that the current Planner could call a meeting to get them going. Councilor Sette agreed, stating that this would let them know what their responsibility is. Councilor Sette further stated that as time goes on we will need this board to address some issues. J. Fecteau noted that the Planning Board has affordable housing on their next agenda, so maybe this board would be able to assist.

J. Fecteau stated that she will send letters to the people who filed Talent Bank applications when the Board was first established to see if there is still interest.

MOTION was made by Councilor Burlingame to TABLE the appointment to the Affordable Housing Board; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
 NAYS: 0

MOTION PASSED

C. Transfer Station Policies & Fees

1. Tire Disposal & Fees - Discussion and/or action

Gary Treml, Director of Public Works, explained that we are charged disposal fees for tires by RI Resource Recovery. G. Treml stated the rate is \$5.00 for automobile tires, \$10.00 for truck tires up to a certain size, and \$75.00 for anything larger, such as tractor tires. G. Treml recommended implementing the same fees for disposal at the Transfer Station to cover what the Town must pay Resource Recovery. G. Treml stated that he will display sample tires at the Transfer Station to eliminate any confusion.

MOTION was made by Councilor Burlingame to support the 3-tiered pricing (\$5.00/\$10.00/\$75.00) for tire disposal, per the recommendation of the Public Works Director; seconded by Councilor Sette.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
 NAYS: 0

MOTION PASSED

2. Mattress Disposal & Fees - Discussion and/or action

Gary Treml, Director of Public Works, stated that RI Resource Recovery has instituted a policy which determines whether a mattress is suitable for recycling. G. Treml explained that mattresses must be clean, dry and free of bedbugs, and if they do not fit that criteria, they will be subject to a disposal fee of \$50.00. Councilor Burlingame asked if G. Treml's recommendation is to charge \$50.00 for disposal at the Transfer Station. G. Treml replied in the affirmative. Councilor G. Steere asked if Resource Recovery takes mattresses from the general public. G. Treml replied that the "Mattress Council" inspects the mattresses and if they reject one, they know where the load came from.

Councilor Sette stated that the town of North Kingstown addresses this matter on their website, where their fee schedule states that there is a \$50.00 fee for mattresses and box springs unsuitable for recycling. Councilor Sette noted that other cities and towns are also doing the same thing. Councilor Sette commented that by instituting this policy, we would not be singling out our residents any differently than any other community.

Councilor G. Steere asked if the staff at the Transfer Station is capable of determining what is and is not recyclable. G. Treml replied that they have been trained by RI Resource Recovery.

Councilor W. Steere asked what happens when a mattress is deposited on the side of the road or on Land Trust property. G. Treml replied that we would have to absorb the cost of disposal but noted that this has not occurred very often lately.

Councilor G. Steere asked if mattresses should only be accepted on certain days of the week. Councilor W. Steere stated that any day would be fine, as long as the staff can handle it. Councilor Burlingame asked if G. Treml anticipates any problems with residents when they are told that their mattress is subject to the fee. G. Treml replied that he does not think so. Councilor Burlingame

suggested having a list of rules to hand out to residents. Councilor W. Steere also recommended communicating the policy in the Bargain Buyer and on our website.

MOTION was made by Councilor Burlingame to ADOPT a Mattress Policy with the disposal fees outlined, for those mattresses that are acceptable for recycling and those that are not under the program for recycling, and to have a brochure or list prepared that identifies the criteria to disqualify a mattress; seconded by Councilor Sette.

Discussion: Tim Kane, Town Solicitor, noted that this will save the residents at trip to the landfill, where they would still have to pay the \$50.00 disposal fee.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
 NAYS: 0

MOTION PASSED

D. Approval Process and Possible changes to Zoning Ordinance - Discussion and/or action

Re: Renewable Energy Facilities Including Solar Farm

Tim Kane, Town Solicitor, stated that at this time, solar is permitted by right in any district in Gloucester. T. Kane stated that applicants go through the Development Plan Review process which does not require notice to abutters, but is a site plan review by the Planning Board. T. Kane commented that there is a lot of interest in Gloucester, partly because the approval process is so streamlined. T. Kane stated that Karen Scott, Town Planner, has indicated that these can be treated as land development projects, which require three (3) stages of approval. T. Kane asked the Council if they want to tighten up the approval process, and for larger facilities, make it by Special Use Permit.

Councilor G. Steere asked what would be the criteria to deny a solar facility. T. Kane stated that it must be consistent with the Comprehensive Plan and be compatible with surrounding land use. T. Kane stated his opinion that the Council needs to move rather quickly on this.

Karen Scott, Town Planner, stated that the three (3) existing solar facilities are 250kw and the two (2) proposed facilities are 5 megawatts, which is about 30 acres. Councilor Burlingame stated his opinion that anything above 250kw should require a minimum lot size of 4 acres. Councilor Burlingame further stated that the Council should also keep wind turbines in mind. K. Scott stated that there is lot coverage requirement which states that you can't cover more than 4% of your lot without a variance. Councilor G. Steere referred to the facility across from Chester's and stated that it seems like it is more than 4% of the lot size. K. Scott pointed out that the lot might be in a commercial zone.

Councilor Sette stated that he would be in favor of review and an opportunity for public comment. Councilor Sette also stated that he would recommend that a buffer and setbacks be required. T. Kane stated that the Council can get different options and work with the Planning Board and the Town Planner to suggest an ordinance that addresses buffers, etc.

Councilor W. Steere expressed agreement but stated that he does not want to restrict anyone from putting solar panels on their roof top. T. Kane stated that this discussion pertains to commercial facilities that sell back to the grid and roof top facilities would stay exempt.

Councilor Sette noted that the state of Rhode Island is taxing \$5.00 per megawatt while Massachusetts is getting \$12.50. Councilor Sette questioned why we are so low.

Tim Kane stated that there is opportunity for solar in Glocester and he feels that it needs to be controlled, but added that it would be nice to get some decent tax revenue from these facilities.

There was discussion regarding wind turbines and Councilor W. Steere stated that the Community Resource Commission had done some research which indicated that wind wasn't much of a factor in this town. Councilor W. Steere also stated that the Commission conducted a study on solar and had provided the Council with a map of the 3 phase areas in town. It was stated that this information may be helpful to the Solicitor and the Planner.

Councilor Sette spoke about the possibility of using some of the electricity to operate West Glocester and Fogarty Elementary Schools as part of a host agreement. T. Kane stated that after January 1st, 2017, there will be no more host agreements because the State will set a rate and we will just tax the facilities.

Councilor G. Steere asked if there is an urgency to changing something in light of what some people are talking about right now. T. Kane stated that he thinks so and would like to see an Ordinance before this Council by November or before. Jean Fecteau, Town Clerk, asked if there is the possibility of a First Reading by the first meeting in October. T. Kane replied that it is possible because the Planning Board meets on October 3rd. Councilor Burlingame asked who will be providing input to the Planning Board. T. Kane replied that the Town Planner has already looked at other ordinances and he will consult with her and advise the Planning Board. Councilor Burlingame stated his opinion that we are a rural community with a lot of open space and could probably provide this type of energy and this should be kept in mind when the ordinance is put together.

VIII. Town Council Correspondence and/or Discussion

- A. Councilor G. Steere stated that he was contacted by the owner of Chepachet Hardware regarding a problem with runoff on the State highway. Councilor G. Steere stated his opinion that the State needs to install a drain in front of the resident's yard. The resident has spoken with an engineer at the State and was told, off the record, that the only way this can get done is if the Town gets involved. Councilor W. Steere suggested that the Council contact our State Representatives.
- B. Councilor W. Steere stated that a letter was received from Dome Restoration LLC regarding the R. Buckminster Fuller's iconic geodesic dome in Warwick, which is being offered for public use.

- C. Councilor W. Steere stated that a letter was received from Neutral Zone, who was granted a liquor license and victualing license by the Council. It was stated that their work has not progressed as quickly as expected and they are asking the Council if they have to go through the approval process again. Tim Kane stated that according to State Statute regarding liquor licenses, if all the conditions are not fulfilled within a year, unless there is litigation involved, the applicant must start all over again. T. Kane stated that the Council cannot vote on this tonight, but suggested that the Town Clerk send the applicant a copy of the statute.

Jean Fecteau, Town Clerk, stated that there is another instance of a victualing license granted for a farm stand which would sell items prepared in the kitchen of the licensee. J. Fecteau stated that all requirements have not been met, but she did not find anything in the statute that pertains to victualing licenses. T. Kane concurred that an extension is not needed for a victualing license.

- D. Councilor W. Steere expressed concern regarding Boards and Commissions filing minutes in a timely fashion, stating that we must make sure we are in compliance with Open Meeting Laws. Councilor W. Steere suggested that a letter be sent, perhaps from the Town Solicitor, reminding the chairs of their responsibilities. Councilor Sette commented that we also have boards that have not met in eight (8) months, which is becoming an issue.

IX. Department Head Reports/Discussion

- A. Jean Fecteau, Town Clerk, stated that there has been a request by the Ponaganset High School Girls Soccer team to use the Senior Center for a car wash. J. Fecteau stated that her instincts are to say no, but it is up to the Council. Councilor Burlingame stated that at first he did not have a problem with it, but he has since changed his mind. There was concern regarding the well on the property and there was Council consensus not to allow the car wash.

X. Bds. and Commissions Reports/Discussion

- A. Edna Kent, Town Historian, reported about an Eagle Scout project at a cemetery at Bottoms Farm on Elmdale Road. E. Kent stated that there are 31 burials including a Civil War veteran.
- B. Councilor W. Steere commented that Chepachet was mentioned in an article on "Boston.com" regarding 30 historical places to visit in New England.

XI. Open Forum

- A. Donald Simpson, of 150 Lake View Drive, expressed concern that the tire and mattress disposal regulations will cause people to dispose of these items in the woods. Councilor Burlingame replied that when we began charging for tire disposal, there was concern that this may happen, but it did not. Councilor Burlingame noted

that we are just charging what Resource Recovery charges us, we are not making money on the fees.

XII. Seek to Convene to Executive Session Pursuant to R.I.G.L. 42-46-5(a)(2) Collective Bargaining; Contract Negotiations - Discussion and/or action

MOTION was made by Councilor Burlingame to Seek to Convene to Executive Session Pursuant to R.I.G.L. 42-46-5 (a) (2) Collective Bargaining: Contract Negotiations; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
 NAYS: 0

MOTION PASSED

XIII. Reconvene Open Session (Disclose votes taken in Executive Session)

MOTION was made by Councilor Burlingame to Reconvene Open Session, to Seal the minutes of Executive Session and to disclose that no votes were taken; seconded by Councilor G. Steere.

Discussion: None.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
 NAYS: 0

MOTION PASSED

XIV. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 9:41 p.m.; seconded by Councilor G. Steere.

VOTE: AYES: W. Steere, G. Steere, Burlingame and Sette.
 NAYS: 0

MOTION PASSED