

At a meeting of the Town Council holden in and for the Town of Gloucester on May 18, 2017:

I. Call to Order

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

II. Roll Call

Members Present: George O. (Buster) Steere, Jr., President; Edward C. Burlingame, Vice-President; Walter M. O. Steere and Patricia Henry.

Member Absent: William E. Reichert

Also present: Jean Fecteau, Town Clerk; Tim Kane, Town Solicitor; Susan Harris, Deputy Town Clerk; Diane Brennan, Finance Director; Gary Treml, Director of Public Works; Karen Scott, Town Planner; and Judy Branch, Director of Human Services

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum - For Agenda Items

None.

V. Citations - Eagle Scouts Troop 44 (7 Scouts) - Discussion and/or action

Councilor G. Steere stated that Gloucester Scout Troop 44 will be honoring their Scouts that have achieved the rank of Eagle Scout with a Court of Honor on Sunday, June 4th, at 1:00 pm at the Chepachet Union Church and the Clerk has prepared individual Citations for each of the Scouts for that event.

Councilor Burlingame read into the record a Citation that includes all the Scouts:

**Be it hereby known to all that the Town of Gloucester hereby offers its sincerest congratulations to Scout Troop 44, Gloucester, Rhode Island
In Recognition of their Scouts achieving the highest ranking honor of**

***Eagle Scout
in the
Boy Scouts of America.***

To achieve this award, Scouts must work diligently and consistently for several years, be good leaders of other young men and follow good examples set forth in Scouting.

These Scouts of Troop 44 gave of their time to better our community as follows:

Aaron David Marc Aubin worked on improvements to the William E. Gonyea Memorial Park in Pascoag.

Garrett S. Donnelly built and installed trophy shelving for Ponaganset High School Music Department.

MOTION PASSED

MOTION was made by Councilor Burlingame to APPROVE the Town Council meeting minutes of May 4, 2017, as amended; to APPROVE the Tax Collector's Abatement to the 2006 Receivable Tax Roll in the amount of \$28,353.73; the Abatement of Tax Sales Fees from 2006 of \$591.75; the Tax Assessors Abatement to the 2016 Tax Roll of \$320.04; No Additions for April; and to ACCEPT the Finance Director's Report of April 2017; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

VII. Unfinished Business

A. Rules/Regulations: Pavilion Use - Discussion and/or action

Councilor G. Steere stated that Councilors Henry and Burlingame have worked on a set of rules that follow current rules for town recreation areas and suggestions made after weeks of conversation.

Councilor G. Steere stated that one option would be to adopt an ordinance to include in Chapter 221, Parks and Recreation Areas. Councilor G. Steere further stated that in this section the first Article is general rules for **all recreation areas** and the second Article is for **specific rules just for GMP** and perhaps the Pavilion could be Article three with **rules specific to the pavilion**.

Councilor G. Steere stated that if that is the decision we could have a first reading on June 1st and a public hearing on June 15th, at which time we could adopt.

Discussion: None.

MOTION was made by Councilor Henry to ADD a 1st Reading of a proposed amendment to the Gloucester Code of Ordinance, Chapter 221 Parks and Recreation Areas, to the agenda of June 1, 2017; seconded by Councilor Burlingame.

Discussion: Councilor Henry expressed appreciation to Jean Fecteau, Town Clerk, for her assistance in this matter. Councilor G. Steere agreed and stated that the proposed amendment is simple and is all we need.

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

MOTION PASSED

B. Parade Committee

1. Two Alternate positions- Discussion and/or action

MOTION was made by Councilor Henry to APPOINT Gerard Drouin as Alternate #1 and Lewis Pryeor as Alternate #2 on the Parade Committee to June 1, 2017; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

VIII. New Business

A. Personnel

1. Senior Center

a. Senior Center Director: Accept Resignation - Discussion and/or action

Councilor G. Steere stated that the Council has received the resignation of Fran Ballou from the position of Senior Center Director.

MOTION was made by Councilor W. Steere to ACCEPT the resignation of Fran Ballou, with thanks for her service, from the position of Senior Center Director effective July 1, 2017; seconded by Councilor Henry.

Discussion: None.

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

MOTION PASSED

b. Senior Center Director: Action to fill position - Discussion and/or action

Discussion: Councilor Burlingame stated that when the Senior Center was put in place, first at the Laurel Grange and later at Pinewood Park, the director was not a Department Head who reported to the Council. Councilor Burlingame stated his opinion that the Council should give consideration to that because Senior Center Directors in other communities have specific qualifications. Councilor Burlingame stated that he does not know if we need a Charter amendment for this but he feels that there should be some accountability for the position that comes directly to the Council.

Councilor W. Steere stated that he agrees to a certain point but asked why we have a Board of Directors for the Senior Center. Councilor Burlingame stated that he is raising that question also and suggested that the Board serve as an advisory board to assist the Council. Councilor Burlingame stated that he has been liaison to the Senior Center for several years and feels that the Council should get a monthly report that comes directly to them. Councilor Burlingame stated that the Council should look at what we want for a job description for Senior Center Director.

Councilor Burlingame noted that the Budget that was passed has money in it to pay more if needed. Councilor Burlingame suggested that a job description be drafted by the HR Director and that the position of Senior Center Director be a Department Head reporting to the Council and the Board be an advisory group.

Tim Kane, Town Solicitor, asked if the Board of Directors was set up in the Charter. J. Fecteau, Town Clerk, replied that there is nothing in the Charter regarding the Senior Center. T. Kane stated his opinion that without specific provisions in the Charter, it gives the Council flexibility.

Councilor Henry supported the concept suggested by Councilor Burlingame and stated that it would make us more consistent because there are no other areas that operate with a Board of Directors. Councilor Burlingame stated that when the current Senior Center was conceived and built, he was in favor of having a Board of Directors because the Council did not have the time or the expertise to set up the procedures necessary for the center to function. However, Councilor Burlingame stated that now it is time to make a change and bring it to the next level.

Councilor Henry stated that some other towns use a card swipe system that registers who is in attendance every day. Councilor Henry noted that a new director may be aware of how other towns operate their Senior Centers. Councilor Henry further stated that it would be important to have a Director who is adept at fundraising.

T. Kane stated that he will do research to determine what are the governing documents.

Councilor W. Steere commented that this position has really evolved over the years, not just here but nationwide. Councilor W. Steere stated that his only concern is that if we make this position concurrent with the Town Council term, people may be more reticent about applying because they would not have job security. Councilor Burlingame stated that this a good point and we might want to consider having a contract.

Councilor G. Steere stated that we must advertise the position but more discussion is necessary.

MOTION was made by Councilor Burlingame to AUTHORIZE the Finance Director to develop a Job Description so we are prepared on June 1st to advertise for the position of Senior Center Director; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

2. Planning Department
 - a. Planning Board Clerk
 1. Ratification of appointment - Discussion and/or action

Councilor G. Steere stated that the Council has received the following from Diane Brennan:

To: Honorary Town Council Members
From: Diane L. Brennan, Director of Finance/ HR
Date: May 12, 2017
Re: Planning Board Clerk

Three individuals were selected for interviews for the position of Planning Board Clerk. Interviews were conducted by Karen Scott, Planning Director, George Charette, Chair of Planning Board, and myself.

The collective recommendation by the panel is to appoint Judi Rix, of 12 Glasko Way, Chepachet RI for the position of Planning Board Clerk. This decision was unanimous. Judi has considerable municipal experience from her position as the Land Trust clerk as well as extensive experience as the Executive Assistant to the Provost at Bryant College. She has a proven record of reliability and provides timely minutes for the Land Trust.

The board looks forward to working with Judi as the planning board clerk.

The recommended appointment date is June 1, 2017 in time for the June 5th planning board meeting. This position is not eligible for benefits. The salary for the position is \$150 per meeting upon approval of the minutes.

This recommendation is for consideration at the meeting on Thursday May 18, 2017
(end of memo)

MOTION was made by Councilor Henry to APPOINT Judi Rix to the position of Planning Board Clerk, effective June 1, 2017, at the wage of \$150 per meeting payable upon approval of minutes; seconded by Councilor w. Steere.

Discussion: None.

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

MOTION PASSED

3. Public Safety
 - a. Animal Control
 1. Appointment: Animal Control Officer - Part time -
Discussion and/or action

Councilor G. Steere read the following memo into the record:

To: Honorable Town Council
From: Joseph DelPrete, Chief of Police
Date: May 05, 2017

Dear Council Members:

I would respectfully request to appoint Christopher J Mooney to a part-time Animal Control Officer position at an hourly rate of \$14.00 per hour. He will only work up to 8 hours per week and scheduled to work (4) four hour shifts on Saturday and Sundays when needed. This position will become effective on Saturday May 20, 2017.

Christopher Mooney has volunteered at the animal shelter during the rabies/license clinic and other times at the shelter learning the day to day operations. The Animal Control Officer further feels he will be an excellent fit for this part-time ACO assistant position.

This appointment is contingent on him successfully passing a police background investigation.

Respectfully Submitted,
Joseph DelPrete
(end of memo)

MOTION was made by Councilor W. Steere to APPOINT Christopher J. Mooney to the position of part-time Assistant Animal Control Officer, effective May 20, 2017, at the hourly rate of \$14.00 for up to 8 hours per week, as needed; seconded by Councilor Burlingame.

Discussion: None.

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

MOTION PASSED

4. Recreation
 - a. 2017 - Summer Recreation Employment Appointments: Discussion and/or action
 1. Arts & Crafts Instructor
 2. Tennis Aides
 3. Tennis Instructor
 4. Water Safety Instructor
 5. Lifeguards
 6. Water Safety Aides
 7. Parks & Grounds
 8. Lottery for Parking Lot Attendants

MOTION was made by Councilor W. Steere to APPOINT: **Arts & Crafts Instructor:** Lisa Santamaria @ \$11.50 per hour; **Tennis Aides:** Jacob Lawrence, Olivia Campanella, Anna Gates, Caitlin Coleman, Aiden Corrigan @ \$10.10 per hour; **Tennis Instructor:** Richard Lawrence @ \$21.00 per hour; **Water Safety Instructors:** Emma Nadeau and Samuel Bourassa @ \$15.50 per hour; **Lifeguards:** David Glasberg, Jillian Cerullo, Joe Tamaro, Faith Bellevoine, Declan Beltram, Emily Coburn @ \$12.50 per hour; and Jacob Gentile, Lucy Contrino (Sub), Samuel Bourassa (Sub) @ \$11.50 per hour; **Water Safety Aides:** David Ferriera, Madison Akkaoui, Juliana Goff, Faith Nadeau, Mae Bellevoine, & Eve Nadeau @ \$10.10 per hour; **Parks and Grounds:** Christopher Rene & Nathan Thakur @ \$11.00 per hour; seconded by Councilor Henry.

Discussion: None.

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

MOTION PASSED

Parking Lot Attendants (by lottery):

- Faith Nadeau**
- Cameron Leach**
- Meredith Cabral**
- Sophia Coppolino**
- Nicholas Costa**
- Koehl Drexler**
- Morgan Duffney**
- Cheyenne Meunier**
- Katherine Steere**
- Patrick White**

MOTION was made by Councilor W. Steere to appoint:

- 1)Morgan Duffney
 - 2)Nicholas Costa
 - 3)Cameron Leach
 - 4)Patrick White
 - 5)Koehl Drexler
 - 6)Cheyenne Meunier
- as Parking Lot Attendants @ \$10.10 per hour; and

- 7)Katherine Steere
 - 8)Faith Nadeau
 - 9)Meredith Cabral
 - 10)Sophia Coppolino
- as Alternate Parking Lot Attendants @ \$10.10 per hour

seconded by Councilor Burlingame.

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

MOTION PASSED

B. Sign - The Pavilion at Kent Field

- 1. Determine type & style of signage - Discussion and/or action

Discussion: Councilor Henry suggested that the sign at the Pavilion be similar to the standard historic type of sign that we see throughout Town. Councilor Henry asked Charlie Wilson, chair of the Historic District Commission for his input.

Charlie Wilson stated that he likes the style and color of the sign that is in front of the Town Hall

and suggested that we have this type of sign at the Pavilion because it is also Town property.

There was Council discussion concerning what company made the sign in front of Town Hall. Councilor Burlingame stated that Forge Signs did our “parking” sign and may be able to do something like that. Councilor G. Steere stated that there is also Farrell Signs in Pascoag. Charlie Wilson stated that he will research these two (2) vendors as well as others to get more information.

MOTION was made by Councilor Burlingame to AUTHORIZE Charlie Wilson of the Historic District Commission to research vendors for a sign at the Pavilion at Kent Field and come back to the Town Council with a recommendation; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

2. Determine funding source & Authorization to purchase - Discussion and/or Action

Discussion: Councilor Henry stated that the Gloucester Business Association has commented that they would like to participate in the funding for the sign. Councilor Henry stated that she could contact the president of the GBA to see what kind of funds they have available. Councilor G. Steere suggested that we wait until Charlie Wilson has obtained prices. Tim Kane, Town Solicitor, stated that the Council should coordinate with the Finance Director regarding the Purchasing Policy.

MOTION was made by Councilor Burlingame to TABLE item B.2. Determine Funding Source & Authorization to Purchase until Charlie Wilson gets back to the Council with prices; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

C. Historic District Signs - Update, Discussion and/or action regarding compliance and/or enforcement

Councilor Henry stated that Ken Johnson, Building/Zoning Official, is not present but requested that the following memo be read into the record:

May 18, 2017

To: Town Council President and Council Members
From: Ken Johnson
Subject: Signage in the Historic District

Unfortunately, I am unable to attend this council meeting but would like give you an update as to the signage issue in the Historic District. Currently we have had all but two (2) business building owners who have not revealed their compliance plan to this office. The owner of the Agean Pizza building, which has the Pizzeria and computer store was in front of the HDC Board at their last meeting with plans for his signage for the pizzeria. Unfortunately, he installed his new sign prior to getting approval from the HDC and his new sign was rejected by the Commission . He has yet to submit an alternative plan for the pizzeria or the computer store.

The other business owner is the Country Farm Convenience Store who has come to my office and has in principle agreed to remove his signs but has offered no time line. He has removed the tobacco advertisements from the front of his building, as I had asked him to do.

The Family Dollar store has submitted a signage plan to HDC which was approved by the Commission. Kevin Kitson has submitted a letter to my office regarding the signage for his business and the other businesses located on his property, namely All State Insurance Company and Auto Audio. He has agreed that once the signs are taken down from the metal supports on the street side, that any signs that are to be re-installed will be approved by HDC. Kevin's liquor store will remove all signs from their current location once the store is relocated into its new location.

The Sunoco sign which has been a point of discussion, will for the time being be allowed to remain in it's current state. After doing some research on that sign, it appears that a decision was made when the front of the station was being remodeled along with the canopy over the pumps that a limit of signage was agreed to by the owner and the Planning and Zoning Boards that the existing signage with the Sunoco Emblem would be allowed to stay providing that no other signage on the building was installed and landscaping around the store was done. This office still feels that some sort of agreement might be met to not light the sign internally which would comply with HDC's lighting requirements. To date, we are making progress and hopefully by summer's end we will have full compliance.

Thank you,

Ken Johnson, Zoning Official/Building & Minimum Housing Inspector

(End of memo)

Councilor Henry stated that she has been working with Ken Johnson and Charlie Wilson who are very optimistic that the business owners are moving toward compliance with regard to their signs. Councilor Henry spoke about the sign for the "Junction", stating that she plans to contact the owner because it is no longer a business.

Charlie Wilson, of the HDC, stated that the Board feels that all backlit signs should be shut off, including Sunoco. Regarding the Sunoco sign, Councilor Burlingame stated that we must be sure that we go back and review the conditions that were agreed upon years ago. Councilor G. Steere stated that Ken Johnson has indicated that he is hopeful that he can come to a deal regarding the backlit part of the Sunoco Sign. Councilor Henry commented that we have other branded businesses, such as CVS, that comply with historic sign regulations.

Councilor Burlingame stated that another potential problem is that Sunoco is now open 24 hours. Councilor Burlingame again stated that we must be sure that we honor our agreements. C. Wilson noted that there are other ways to light up the sign, such as a spotlight.

Councilor W. Steere stated that if there is an agreement in place, we must follow it; otherwise

everyone needs to comply.

Councilor Henry spoke regarding a sign at the solar field on Putnam Pike, which is an advertisement for a business that is not located there. Councilor Henry noted that this is against regulations. K. Johnson called the owner of the property and requested that the sign be taken down. Councilor Henry stated that the owner removed only the written part of the sign and left the huge wooden board on the property. Councilor Henry stated that after talking to K. Johnson she called the property owner. Councilor W. Steere stated that he sees Councilor Henry's point, but noted that we have many signs that are larger which advertise people's thoughts about a power plant, and if we are going to do something, we should be consistent.

Councilor G. Steere stated that the Council should put this on a future agenda because we only have Historic District Signs on the agenda tonight. There was Council consensus to place this on the agenda for the next Town Council meeting.

D. Elderly Tax Exemptions - Discussion and/or action

Councilor Burlingame stated that our elderly tax exemption is fair but generous and we are seeing an increase in the number of new applications every year. Councilor Burlingame explained that each one is a tax credit of \$2,070 which this year, took \$100,000 away from the amount to be raised by taxes. Councilor Burlingame noted that the rest of the population has to fund that. Councilor Burlingame stated that people may be shopping for elderly exemptions and we have the highest. Councilor Burlingame stated that there are about 60 people who are paying no tax at all. Councilor Burlingame stated that if you add up all the exemptions, it comes up to \$2 million of taxes.

Councilor Burlingame pointed out that our population is getting older, therefore this problem will get a lot more severe going forward. Councilor Burlingame has met with the Finance Director, Tax Assessor and Tax Collector to discuss several options to address this issue. Councilor Burlingame stated that Scituate and Smithfield have a ten (10) year residency requirement as opposed to our five (5) years. Councilor Burlingame suggested that we change our requirement for new residents while current taxpayers would be "grandfathered". Councilor Burlingame further stated that all residents receive the benefits of our Police Department, Public Works and Transfer Station, so it is not reasonable that someone should pay nothing. Councilor Burlingame suggested a minimum of \$500. Councilor Burlingame stated that the Council may also wish to consider whether we want to continue the program of income tests, which increases the amount of the exemption every year. Councilor Burlingame stated that we could also freeze the standard exemption and not go with the income test.

Councilor Burlingame stated that we have to do something because we're "bleeding bad". Councilor Burlingame stated that if the Council decides to go forward in the next few months and make the change effective July 1, 2018, the new program would go into effect after December 31, 2018. Councilor Burlingame reiterated that it would not affect anyone who currently owns a home in the town of Gloucester, only new residents coming in.

Councilor G. Steere agreed that we have a very generous exemption and we are bleeding from it. Councilor Burlingame noted that it will get worse this year due to revaluation.

Councilor Henry thanked Councilor Burlingame for the work he has done on this because if we were to ignore it, it would become a huge issue. Councilor Henry agreed that no one should be paying zero taxes because everyone uses the Town's services. Councilor Henry also agreed that there are seniors who shop for a community and we are a target for that.

Councilor Burlingame stated that the ordinance was enacted in such a way that in the event of a reval, nobody would pay any less than the year before. Councilor Burlingame explained that if your house went up \$40,000, and you had a credit of X amount due to your elderly exemption, the credit would not be any less. Councilor Burlingame stated that in the case of the income test, the way the legislation was written, it was supposed to be adjusted annually according to the CPI. Councilor Burlingame further questioned that when looking at the current standard deduction, what should have happened to that when home values went down during the housing crash. Councilor Burlingame stated that the deduction should have gone down, but that did not happen, causing a huge problem that we are not out of yet.

Councilor Burlingame stated that he will have more discussion with the Finance Director, Tax Assessor and Tax Collector, but he wanted to see if the Council agrees that we have an issue that we must deal with. Councilor G. Steere expressed agreement. Councilor W. Steere agreed that we need to have discussion and really look at this because many people depend on the exemption to live in town. Councilor Burlingame stated that it will not affect anyone who is already here, and will save money for the people who are already here because they won't be subsidizing new people coming in who are shopping for the elderly exemption. Councilor W. Steere commented that we will need to do something if we keep building over-55 developments in town. Councilor Burlingame stated that the affordable housing project will also make the problem worse.

IX. Town Council Correspondence /Discussion

- A. Councilor G. Steere stated that a news release was received from the Government Finance Officers Association which indicates that a Certificate of Achievement for Excellence in Financial Reporting has been awarded to the Town of Gloucester. Councilor G. Steere congratulated Diane Brennan, Finance Director, and her department.
- B. Councilor G. Steere stated that a letter was received from The Trust regarding Skate Park Semi-Annual Self Inspection. Councilor G. Steere stated that this will be taken care of by the Recreation Director.

X. Department Head Reports/Discussion

- A. Diane Brennan, Finance Director, stated that an advertisement has been placed for the position of Recreation Director with an application deadline of May 31st. D. Brennan suggested that an interview panel be comprised of Gary Trembl, Public Works Director, the Council liaison to the Recreation Department, and a member of the Recreation Commission.
- B. Councilor G. Steere asked Jane Steere, Tax Collector, if Senator Fogarty was asked to help her with the issue of collection of taxes on mobile homes. J. Steere replied that we have an ordinance which states that on the sale or evacuation of a mobile

home, the taxes must be paid, and if they are not, it follows to the new owner. J. Steere stated that she and Councilor Burlingame did go down and work on legislation to allow this ordinance to be enacted. J. Steere noted that Coventry has copied our Ordinance.

XI. Bds. and Commissions Reports/ Discussion

A. Councilor Henry stated that she was reading the Land Trust minutes submitted to the Council and there is a concern that was brought to her attention by two (2) Land Trust members which she finds troubling. Councilor Henry stated under New Business, there was an item entitled "GLT Conflict of Interest and Ethics Statement Signatures". Councilor Henry read the following from the April 11, 2017 Land Trust minutes:

"b. GLT Conflict of Interest and Ethics Statement Signatures: Chairman Mitchell provided each trustee with a copy of the conflict of interest form and the ethics statement form and asked the trustees to sign them. This is done every year so the trustees are aware of what they are and aren't allowed to do. Rebecca Shultz was not present at the meeting to sign, so she will sign them at the next meeting she is present at."

Councilor Henry stated that is not true because she received a phone call from a Trustee that informed her that she is extremely uncomfortable and feels that it is not legal to require her to sign this statement. Councilor Henry stated that the minutes are incorrect because the Trustee has no intention of signing the Code of Ethics.

Regarding the Code of Ethics, Councilor Henry asked if the Town Solicitor could review the document because she feels it is not applicable to people who serve on a board for a city or town. Councilor Henry stated this is the type of document that a philanthropic and/or corporate board may require. Councilor Henry read a portion that stated "2. Duty of loyalty. Support the Corporation: Each trustee should support the GLT, support should include financial support and, where applicable, public support. Councilor Henry stated it was as though we are asking our members to make financial contributions to the board. Councilor Henry again stated that is what a corporate or philanthropic board is asked to do. Councilor Henry stated this seems out of sorts to her. Councilor Henry acknowledged she is not the liaison to that board but she stated as a member of the Council she is only responding to people that came to her with their concerns. Councilor Henry noted that her late husband served as Vice-Chair of the Land Trust for many years and was never asked to sign anything like this. Councilor Henry stated she does not know where this is coming from and why members are being literally "forced" to sign this.

Councilor W. Steere responded by saying that the Land Trust has gone through a big turnover and in the midst of it went through the legal process of becoming an approved Land Trust, and everything, including their processes, was reviewed by the Land Trust's attorney.

Councilor Henry stated that the person that brought this forward to her has her own private legal counsel who has advised her this is all off-base and advised her not to sign it. Councilor Henry stated she feels we have a problem. Councilor Henry stated that she is aware that the Land Trust is a quasi-independent organization that doesn't report to the Council but that when we have town residents who volunteer, with their hearts, to boards and commissions and something like this is going on, it doesn't feel right.

Councilor W. Steere agreed with that thought, regarding volunteers, because it may make it hard to get volunteers but questioned if we should have our Solicitor review it after their Attorney has already done that review.

Tim Kane, Town Solicitor, advised the Council, if they so desire, to take a formal vote at the next meeting to have him review the Code of Ethics and report back to the Council. T. Kane stated the R.I. Ethics Division has a code of ethics that applies to all of us and really governs.

Councilor Henry stated this is basically a gag order that tells the members they can't speak of anything. Councilor Henry stated that flies in the face of open meeting laws. Councilor Henry stated she has real issues with what is going on.

Atty. Kane stated, again, this could be included on the next agenda.

Councilor Burlingame, agreed, and stated that he also received a call from one of the members of the Land Trust complaining about the same thing and stated the person was going to resign over it but has since reconsidered. Councilor Burlingame suggested that this be placed on the agenda for discussion at the next Council meeting. Councilor Burlingame stated his opinion that it is unnecessary for the Land Trust to spend \$1,000 a month on legal representation every meeting. Councilor Burlingame pointed out that the Land Trust receives a portion of the realty tax stamps that come in that otherwise would go into the General Fund, so it is actually taxpayer money. Councilor Burlingame stated that this should be questioned also. Councilor W. Steere, liaison to the Land Trust, stated he believes that will be addressed.

XII. Open Forum

- A. Joe Somers, of 12 Cedar Trail, spoke regarding an abutting property where the house is actually falling down. J. Somers stated that the house has no septic system. J. Somers stated that this has been going on for years and the Building Official agrees that the house needs to be taken down or repaired. J. Somers referred to the Ordinance which describes a nuisance house, stating that this house meets all the criteria. J. Somers stated that the Town Solicitor has notified the owner that she is in violation of the Ordinance, but nothing has been done.

Councilor G. Steere stated that the Building Official, who was not present at the meeting, has also been in contact with the property owner and has given her a deadline. Councilor G. Steere stated we don't as a town want to incur the cost of

tearing it down. Councilor G. Steere stated that he has seen the property and agreed that it is a nuisance. Mr. Somers stated he hoped it wouldn't be another ten years. Councilor G. Steere stated that he will talk to the Building Official tomorrow.

- B. Linda Minisce stated that at least two (2) months ago she wrote a letter to the Town Council that was read into the record. L. Minisce stated that she was questioning the Hamilton Right-of-Way which is supposedly on her property. L. Minisce stated that the Town Solicitor was going to look into the matter. L. Minisce explained that she would like to sell a portion of her lot to an abutting property owner but is unable to until this issue is cleared up. L. Minisce stated there is some urgency because the potential buyers is trying to secure funding which is difficult on vacant land. L. Minisce noted that the Town Solicitor and the Town Clerk have spent a lot of time and effort to find the right-of-way on a deed. L. Minisce acknowledged there is a right of way but further stated her neighbors deed stated "to the Gerold land" which was the previous owner of her property. L. Minisce stated she talked to the people on the Planning Board that stated that she needs to submit a Subdivision application to the Planning Board by next week, but she needs a description of the right-of-way.

Councilor G. Steere stated that the Council cannot discuss this tonight because it is not on the agenda. L. Minisce requested that this be on the agenda for the next Council meeting on June 1st. L. Minisce stated that in the meantime, she will try to get the Planning Board to look at this but she doesn't know that they will because they want a right-of-way description on her property which she can't find.

Councilor G. Steere stated it will be added to the June 1st 2017 agenda.

Tim Kane stated that the fact that the right-of-way is on the Assessor's map does not mean that L. Minisce or her neighbor Mr. Celani have rights to it. Atty. Kane mentioned there seemed to be a dispute between her and Mr. Celani at one time. L. Minisce stated that trees were being cut on her property. Atty. Kane stated that Celani's deed does say "subject to a right of way". Atty. Kane commented that the right of way is vague and not well described anywhere. Atty. Kane expressed reluctance to advise the Tax Assessor to take it off the Town map and stated that the proper forum to determine if it exists is Superior Court.

After further discussion, there was Council consensus to place this matter on the agenda for the next Town Council meeting.

XIII.

MOTION was made by Councilor W. Steere to Convene to Executive Session Pursuant to: R.I.G.L. 42-46-5 (a)(2) Litigation - Discussion and/or action, Town of Gloucester vs. Robert & Shana Grenga, Superior Court Civil Action # PC -2017-0693; seconded by Councilor Burlingame.

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

MOTION PASSED

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

MOTION was made by Councilor W. Steere to SEAL the minutes of Closed Executive Session and disclose that no votes were taken in Executive Session; seconded by Councilor Burlingame.

Discussion: None.

VOTE: AYES - G. Steere, Burlingame, W. Steere & Henry

NAYS - 0

MOTION PASSED

XV. Adjourn

MOTION was made by Councilor Henry to ADJOURN at 9:30 p.m.; seconded by Councilor Burlingame.

VOTE: AYES - G. Steere, Burlingame, W. Steere & Henry

NAYS - 0

MOTION PASSED