

At a meeting of the Town Council holden in and for the Town of Gloucester on July 18, 2019:

I. Call to Order

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

II. Roll Call

Members Present: George O. (Buster) Steere, Jr., President; Walter M. O. Steere, III, Vice-President; William E. Reichert; Patricia Henry; and Julian (Jay) Forgue.

Also Present: Jean Fecteau, Town Clerk; Tim Kane, Town Solicitor; Joseph DelPrete, Chief of Police; Diane Brennan, Finance Director; Gary Treml, Director of Public Works; Ken Johnson, Building/Zoning Official; Karen Scott, Town Planner; Gerald Mosca, EMA Director; Lori DeSantis, Tax Assessor; Bob Shields, Recreation Director; and Melissa Bouvier, Senior Center Director.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

Councilor G. Steere asked everyone to remain standing for a moment of silence to offer thoughts and prayers to Bob and Ericka Dauphinais.

IV. Open Forum - For Agenda Items

None.

V. Citation

A. Retired Gloucester Police Captain Joseph Mattera - Discussion and/or Action

Councilor G. Steere stated that the Council has a long overdue Citation to acknowledge the years of service of our retired Police Captain, Joe Mattera.

The following Citation was read into the record by Councilor Forgue:

The State of Rhode Island and Providence Plantations  
Town of Gloucester  
Citation

Be it hereby known to all that:  
The Town of Gloucester  
hereby offers its sincerest congratulations to:

Captain Joseph V. Mattera

in recognition of  
32 Years of Service to the Gloucester Police Department

Thank you for your years of dedicated service to your department and the Town of Gloucester when called to serve.

Proposed this 18<sup>th</sup> day of July, 2019

George O. Steere, Jr., President,  
Gloucester Town Council

Jean M. Fecteau, CMC, Town Clerk

seconded by Councilor Reichert.

Discussion: Councilor G. Steere again stated that this citation is long overdue.

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

MOTION PASSED

VI. Consent Items - Discussion and/or Action

- A. Approval of Town Council meeting minutes: June 6 & June 20<sup>th</sup>, 2019 Regular Meeting & June 25, 2019 Special Meeting
- B. Tax Assessor's Additions & Abatements - June 2019
- C. Finance Director's Report - June 2019
- D. Pole Grant - Bungy Road: New joint owned pole location

MOTION was made by Councilor Reichert to APPROVE the Town Council meeting minutes of June 6<sup>th</sup>, June 20<sup>th</sup>, June 25<sup>th</sup> Special Meeting; to REPORT there are no Additions or Abatements for June 2019; to ACCEPT the Finance Director's Report for June 2019; and to APPROVE the Pole Grant for Bungy Road, a new joint owned pole, P.O. 52; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

VII. Unfinished Business

- A. Harmony Hill School - Security & Protocol - Discussion and/or Action

Discussion: Mary Ann Carroll, attorney for Harmony Hill School, was present to speak on behalf of Harmony Hill School. Councilor G. Steere explained that he put this on the agenda to address a continuing situation of when someone runs away or is reported missing. Councilor G. Steere stated that he received a call from a neighbor who was not notified. Councilor G. Steere stated that there is protocol which is supposed to be followed, including a call list. Councilor G. Steere stated that there has been discussion regarding screening the type of kids that are allowed there. G. Steere questioned what was “going on” and asked if there are issues at the school because it is an issue when his telephone rings during the night or early morning.

M. Carroll stated that he shouldn't have gotten a call because calls were made within 30 minutes from when it was realized that the child was missing. M. Carroll stated that she received information that a family member picked up the child. M. Carroll noted that the police were called within 30 minutes, so any rumors that this went on for hours are false.

Councilor G. Steere stated I do not know why these people did not get a call and that he would talk to the Chief. M. Carroll stated protocol was followed.

Joseph DelPrete, Chief of Police, stated that they got a call sometime after 11:30 p.m. from Harmony Hill staff stating the child in question was missing and that they did not know what time the student left. M. Carroll stated that when they did a bed check at 11:05 p.m., he was missing, and following a search of the grounds, the Gloucester Police were called at 11:35 p.m. and the State Police were called at 11:42 p.m..

Chief DelPrete stated that once the Police were notified, the abutters were called at approximately quarter to twelve at night. The Chief stated he did not know which calls were received as they left messages for some. Councilor G. Steere asked Chief DelPrete if they keep a record of who answered and who didn't. Chief DelPrete replied that he believes so.

Councilor Reichert asked if the other group homes have to call. Chief DelPrete replied in the negative. M. Carroll stated that there are several homes in Gloucester run by the Groden Center with adults with the same disabilities as the students at Harmony Hill.

Councilor G. Steere asked M. Carroll if there is any plan to do more or better with regard to runaways. M. Carroll replied no, they are happy with what they do and safety measures have been put in place. M. Carroll further stated that they are satisfied that they are following all of DCYF's requirements and protocols and procedures for a residential school. Councilor G. Steere asked if he can give M. Carroll's number out the next time he gets a call in the middle of the night. M. Carroll's response was “fine, please do, I don't answer my home phone anyway”.

#### B. Human Resource Director - Discussion and/or Action

Discussion: Councilor G. Steere stated that there was Council discussion last year regarding hiring a part-time Human Resource Director. Councilor G. Steere stated that Councilor W. Steere has forwarded job descriptions and duties for the Council's review and we now need to come up with

how to proceed.

Councilor Forgue stated that the Council had talked about part-time; in the beginning it may be intense for somebody to come in and get something going but then it is a matter of maintaining it. Councilor G. Steere commented that the Handbook needs to be reviewed and clarified.

Councilor W. Steere stated that we should define the job description first, then define the hours, rate of pay, etc. Councilor W. Steere stated that Diane Brennan, Finance Director, deals with this now and asked her to give the Council guidance regarding what should be included.

Councilor Forgue asked what the decision process would be regarding who the Council will pick. Councilor W. Steere replied that the process would be to place an ad and a committee would go through the applications, but the Council would interview and make the final decision.

Councilor Forgue asked if this person would be a private contractor or an employee of the Town. Councilor W. Steere stated that this is something the Council will have to decide. Councilor Forgue stated that the Council may want to consider a private contractor rather than an hourly employee. Councilor G. Steere stated that we would have to advertise it that way. Councilor Forgue stated that with a private contractor, we would not be responsible for benefits and noted that it may be hard to lock somebody in on an hourly basis.

Councilor Henry stated that maybe our next step should be to put together a sub-committee to define the things we want to have defined and write the ad. Councilor Henry asked if it is D. Brennan's responsibility to write the ad for Human Resources Director, or is it the Council's. Councilor Forgue stated that we could use D. Brennan as a resource and Councilor Henry stated that D. Brennan could be on the sub-committee. Jean Fecteau, Town Clerk, stated that the department heads could offer their time to sit with a Councilor and D. Brennan, instead of appointing a sub-committee. Councilor Henry stated that for a sub-committee, she was thinking two (2) Councilors and D. Brennan, but including the department heads is a good idea. J. Fecteau stated that she will help and she is sure the Solicitor will also. Councilor Forgue stated that we have been negotiating contracts and there are some things that are not in the handbook that they would like to see.

Councilor G. Steere asked the Council members to email their comments to the Town Clerk. Councilor Forgue stated that the Council could then determine whether to hire or use a private contractor. Councilor Henry stated that the reason we felt this need is because people at Town Hall need somebody to come to, so they are best equipped to tell the Council what this should look like. Councilor Forgue stated that the only issue he has is hiring somebody vs. private contractor. Councilor Forgue stated that with a private contractor, we would know exactly what the cost would be, because when you pay somebody hourly, it could be any number of hours.

Councilor G. Steere stated that after the Council sends their notes to J. Fecteau, she can work with D. Brennan and Councilor Henry to come up with a job description and duties. J. Fecteau stated that she will also contact the other 38 cities and towns to ask what they have in place for Human

Resources Director.

MOTION was made by Councilor Henry to assign Councilor Henry to work with the Town Clerk, the Finance/HR Director and other department heads and to report back to the Town Council with a job description and a recommendation between a subcontractor and a part-time employee; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

VIII. New Business

A. Authorization for Town Council President to sign:

FM Global Pilot Agreement- Third Amendment - Discussion and/or Action

Councilor G. Steere stated that the Council has received an agreement for the third amendment of the FM Global Pilot Agreement from the Town Solicitor and Council must now authorize the Town Council President to sign on behalf of the Town.

MOTION was made by Councilor Reichert to AUTHORIZE the Town Council President to sign the “Third Amendment to the Payment in Lieu of Taxes Agreement” between the Town of Gloucester and Factory Mutual Insurance Company; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

B. Resident offer for sale of property: Killingly Road, AP 2 Lot 11 - Discussion and/or Action

Councilor G. Steere stated that the Council has received a resident request to offer a property for sale to the Town.

Discussion: There was Council discussion regarding the location of the property. Councilor Reichert stated there is a land locked piece there that F.M. Global could not get clear title on. Councilor W. Steere noted that if we purchase property, it has to go to a vote of the taxpayers. Councilor G. Steere suggested forwarding this to the Land Trust. Councilor Forgue asked what the owner is asking for it. Councilor W. Steere replied that the price is not mentioned in the correspondence. Councilor G. Steere stated that the Town owns land on one side of the parcel. Jean Fecteau, Town Clerk, stated that she believes the Bates family owns the property on the other side. J. Fecteau stated that she will forward the information to Karen Scott, Town Planner and Steve Mitchell, Land Trust chair.

MOTION was made by Councilor W. Steere to forward the information to the Gloucester Land Trust and the Town Planner for further research; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

C. Police Station

1. Authorization of hire: Septic System replacement/repair Design - Discussion and/or Action

Councilor G. Steere stated that the Clerk received correspondence from Gary Trembl regarding his efforts to get a Septic System Design for the Police Station. Councilor G. Steere stated the Board of Contracts & Purchases reviewed the information and the following memo was submitted by the Finance Director:

To: Honorable Town Council  
From: Diane L. Brennan, Finance, H/R Director  
Memo: Award Police Department Septic System Design  
Date: July 18, 2019

The Board of Contracts and Purchases met to consider the verbal proposals for the Police Department septic design. The quotes were under the recommended threshold for consideration by the Board of Contracts.

The vendor prices provided were Marc Nyberg Associates, Incorporated of North Smithfield for a total cost of \$6,550; National Land Surveyors-Developers, Incorporated of Woonsocket, RI for a total cost of \$3,080; and Terry Lane Company of Chepachet, RI for a total cost of \$2,750.

The department recommendation is to award the work to National Land Surveyors for the amount of \$3,080 due to the timeliness in their scheduling and submission to DEM to move the project forward.

This is a request for the council to approve the department recommendation for the Police Station Septic System Design.

(end of memo)

Discussion: Councilor G. Steere noted that the septic system has failed and this is the first step to design a repair for it. Councilor G. Steere stated that once the design is approved, it will go out to bid for installation.

Councilor Henry asked if the person who is awarded the design will also do the septic work. Councilor G. Steere replied that they do not install, they just do designs. Councilor Henry asked if there are people who do both designs and installations. Councilor G. Steere replied in the affirmative. Councilor Henry inquired if anyone who does both submitted a bid. Councilor G. Steere stated that we solicited four (4) companies who had “no pony in the race for the installation” and received three (3) responses for the design. Councilor Henry asked if we have ever done business with National Land Surveyors before. Councilor G. Steere replied that he has done a lot of work in Town and has a good background.

MOTION was made by Councilor W. Steere to AWARD the Police Department Septic System Design to National Land Surveyors for an amount not to exceed \$3,080; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

D. Gloucester Community Septic Loan Program - Discussion and/or Action

Councilor G. Steere stated that the Finance Director has received two requests from Rhode Island Housing asking the Town if they would like to make an exception to debt to income ratio for potential Community Septic Loan program participants. Councilor G. Steere stated that all information is in your packet for your consideration and the Finance Director has submitted a memo for each.

1. Exception Debt to Income Ratio- 367 Putnam Pike

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

To: Honorable Town Council  
From: Diane L. Brennan, Finance, H/R Director  
Memo: Loan Exception  
Date: July 18, 2019

I have received notification regarding a request for a septic loan that does not meet the guidelines for RI Housing to grant the loan.

The council is being asked to consider the loan on an exception basis. The property is located at 367 Putnam Pike in close proximity to Cutler Creek. The system is failing, overflowing from the top and causing sink holes on the property.

The resident has provided additional information regarding his ability to pay and a written estimate for the cost of the system. The amount listed is greater than the estimate provided to the town from

RI Housing.  
(end of memo)

Discussion: None.

MOTION was made by Councilor Reichert to APPROVE the exception of debt to income ratio, at 43%, on a current Rhode Island Housing loan application for the Glocester Community Septic Loan Program, for property located at 367 Putnam Pike owned by Jason Ratto; seconded by Councilor Forgue.

Discussion: None.

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

MOTION PASSED

2. Exception Debt to Income Ratio- 156 Money Hill Road  
Councilor G. Steere read the following memo from Finance Director:

To: Honorable Town Council  
From: Diane L. Brennan, Finance, H/R Director  
Memo: Loan Exception  
Date: July 18, 2019

I have received notification regarding a request for a septic loan that does not meet the council's guidelines provided to RI Housing to grant the loan. The council is being asked to consider the loan on an exception basis. The property is located at 156 Money Hill Road and the system is failing.

The resident exceeds the loan to debt ratio and has provided some reasons as to why that is the case. The details have been provided in a letter sent to the council.  
The homeowner is requesting the loan from RI Housing as a last resort to address the problem.  
(end of memo)

Discussion: None.

MOTION was made by Councilor Reichert to APPROVE the exception of debt to income ratio, at 151%, on a current Rhode Island Housing loan application for the Glocester Community Septic Loan Program, for property located at 156 Money Hill Road owned by David & Kristen Santos; seconded by Councilor Henry.

Discussion: Councilor Henry stated that she met with the Finance Director regarding both of these requests and stated that the situation must be addressed. Regarding the relatively high percentage, D. Brennan, Finance Director, stated that the individual provided additional information to explain why the debt to loan ratio is higher than others. D. Brennan further stated that other options are not

available to the individual.

Councilor G. Steere noted that the Council has approved quite a few of these exceptions because unfortunately people get into a tough situation with circumstances beyond their control. Councilor Henry stated that in trying to be sensitive to their personal information, she feels that this would be a good thing for the Council to approve.

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

MOTION PASSED

E. Finance & Personnel

1. Workers Compensation practice- Discussion and/or Action

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

To: The Honorable Town Council  
From: Diane L. Brennan, Finance, H/R Director  
Memo: Accrual of sick and vacation time  
Date: July 18, 2019

The Personnel Handbook is silent on accruing sick and vacation time while an employee is out due to a worker's compensation event. I am requesting the council to consider allowing any employee out of work to continue to accrue time for vacation and sick during an absence due to a work related injury. The time would be accrued as if the employee were working. I would ask that this become effective as of January 1, 2019.

This recommendation if approved would be incorporated in the Personnel Handbook.

(End of memo)

Discussion: None.

MOTION was made by Councilor Forgue to AMEND the “We Are Gloucester, A Handbook for Employees” to include the continuance of vacation and sick leave accrual for those employees out of work on Workers Compensation status, effective January 1, 2019; seconded by Councilor Henry.

Discussion: None.

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

MOTION PASSED

F. Authorization for Town Council President to sign:

Audit Fiscal Year End 2019: Engagement Letter - Discussion and/or Action

Councilor G. Steere stated that the Finance Director and the Town Council have received the documents to begin the next audit, for Fiscal year end 2019. Councilor G. Steere explained that the documents received outline the audit and include, but is not limited to: expectations and objectives of both parties, description of accounting practices to be followed, fees to be charged, and time lines. Councilor G. Steere stated that these documents require a signature of the town to acknowledge the guidelines within.

MOTION was made by Councilor Reichert to AUTHORIZE the Town Council President, or his designee, to review all aspects of said document and sign the acknowledgment included in the Audit Fiscal Year End 2019 Engagement Letter; seconded by Councilor W. Steere.

Discussion: Councilor G. Steere asked Diane Brennan, Finance Director, if she has reviewed the documents. D. Brennan replied in the affirmative and stated that it is relatively standard. Tim Kane, Town Solicitor, concurred.

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

MOTION PASSED

G. Boards & Commissions

1. Resignation - Discussion and/or Action

a. Budget Board

1. One unexpired 3 year term to expire 1/2021

Councilor G. Steere stated that the Council has received the resignation of David Steere from the Budget Board and that Dave Steere has asked the resignation be effective immediately.

Discussion: None.

MOTION was made by Councilor Reichert to ACCEPT the resignation of David Steere from the Budget Board, effective July 12, 2019; seconded by Councilor W. Steere.

Discussion: Councilor Henry commented that it is a great loss to the Town that Dave has resigned. Councilor Henry stated that, as liaison to Finance and the Budget Board, she spoke to him regarding his resignation. Councilor Henry noted that he has been of great service to this Town and worked tirelessly on the budget. Councilor Henry stated that we will be hard-pressed to fill his shoes. Councilor Henry stated that she accepts his resignation with great sadness and thanked him for his service. The other Council members agreed.

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

MOTION PASSED

b. Parade Committee

1. Position #2 (ongoing term)

Councilor G. Steere stated that the Council has received the resignation of Mike DeGrange from the Parade Committee, effective July 16, 2019.

Discussion: None.

MOTION was made by Councilor Reichert to ACCEPT the resignation of Mike DeGrange from the Parade Committee, effective July 16, 2019; seconded by Councilor W. Steere.

Discussion: Councilor G. Steere expressed appreciation to Mike, his wife and family for all they put into the parade for the past six (6) or seven (7) years.

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

MOTION PASSED

2. Appointments - Discussion and/or Action

a. Budget Board

1. One unexpired 3 year term to expire 1/2021

MOTION was made by Councilor Henry to TABLE the appointment to the Budget Board for the unexpired term to expire 1/2021; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

b. Housing Authority

1. One expired 5 year term to expire 7/2024

Councilor G. Steere stated that the property manager for the Housing Authority has indicated that the current appointee, Eric Bither, would like to be considered for reappointment.

MOTION was made by Councilor Forgue to REAPPOINT Eric Bither to the Housing Authority for a 5 year term to expire 7/2024; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

c. Parade Committee

1. Position #2 (ongoing term)

Councilor W. Steere stated that there are several alternates on the Parade Committee. Jean Fecteau, Town Clerk, stated that most of them want to remain alternates. Councilor G. Steere stated that he

will contact the chair and ask for a recommendation.

MOTION was made by Councilor Henry to TABLE the appointment to the Parade Committee, Position #2; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

IX. Town Council Correspondence/Discussion

- A. Councilor G. Steere stated that the Council received a letter of complaint and a petition regarding Adler Brothers' Spring Grove Road project.
- B. Councilor G. Steere stated that a letter was received from the Burrillville Town Council thanking the Glocester Town Council for supporting their position against the Invenergy Power Plant.
- C. Councilor G. Steere stated that an invitation was received from the RI Coalition for the Homeless regarding sponsorship donations.
- D. Councilor G. Steere stated that a letter was received from Hill's Tavern about a lost event on June 29<sup>th</sup> due to the weather.
- E. Councilor W. Steere thanked the Parade Committee and everybody involved in the 4<sup>th</sup> of July activities. Councilor W. Steere stated that the road race, fireworks and the parade all seemed to go well. Councilor G. Steere agreed and stated that it was a team effort.
- F. Councilor W. Steere stated that he visited the first Farmers Market and there was a good turnout. Councilor G. Steere stated that there will be more vendors this week.

X. Department Head Reports/Discussion

- A. Jean Fecteau, Town Clerk, stated that she and the Town Solicitor have been working on proposed Ordinance amendments for the Council to consider. J. Fecteau stated that we will repeal our current Hawkers & Peddlers license because it is outdated and per the new State Law, people who serve food can no longer be called hawkers and peddlers. J. Fecteau stated that there will be a first reading after which the amendment will be available to the public. J. Fecteau further stated that a Public Hearing will follow.

J. Fecteau stated that we will also be adopting a new Ordinance called Temporary or Itinerant Vendors, which will incorporate all MFE's, the new State terminology for food trucks. J. Fecteau noted that you can have a food truck license in our town now, but this process makes it a little different for them to register. J. Fecteau explained

that currently, all ice cream trucks, lemonade trucks, etc. can only stop long enough to make sales. J. Fecteau stated that she will propose, as other cities and towns are, giving a 4-hour window to these food trucks. J. Fecteau stated that the Ordinance will be available to the public when it gets to Public Hearing.

J. Fecteau stated that they also thought this was the perfect opportunity to adopt a Special Event Ordinance, which will include all the things the Council has always asked for before granting a Special Event. J. Fecteau explained that this would be for a group or business that does not have a liquor license (not a business) but wants to have a fair, carnival or that type of event.

J. Fecteau noted that whenever possible, on all of these Ordinances, she tried to use things that we already had in place, but updated them whenever she could. J. Fecteau stated that she believes that the Special Event Ordinance is a good thing because the process is outlined and clear. J. Fecteau stated that the Council will be the deciding authority on all Special Events.

Councilor G. Steere asked if this pertains to events such as the GBA's Scarecrow and Halloween events. J. Fecteau replied in the affirmative, stating that they will have to get permission to use Town property before they get to application stage.

J. Fecteau stated that the Fee Schedule, which is part of the Code now, will also have to be amended per State guidelines. J. Fecteau stated that she can be ready for a First Reading at the first meeting in August.

Councilor Forgue asked if the food vendors, once they get their license, can come any day of the week and as many days as they want, and set up for four (4) hours. J. Fecteau replied in the affirmative and explained that any vendor that wants to operate in the State of Rhode Island will have to get a State permit, which they will bring to her office with a few other minor things. J. Fecteau stated that if somebody wants to have a food truck event, they can submit the names of all the licensed Rhode Island food truck providers, and by virtue of that, we can consider them licensed for just that event.

Councilor Forgue stated that this is great because if you simplify things for people, it makes it more enticing for them to come. J. Fecteau stated that there is a lot to these amendments but the Council and the public will have plenty of time to review them and make changes up until the end.

The Council members thanked J. Fecteau and Tim Kane, Town Solicitor, for their efforts.

- B. Gary Treml, Director of Public Works, read a letter from the members of his department thanking their liaison, Councilor Reichert, for assisting them in reaching an agreement on matters that pertain to their department. G. Treml stated that they also wished to thank Council President G. Steere and Councilors W. Steere and J.

Forgue.

- C. Councilor W. Steere asked Ken Johnson, Building/Zoning Official, what is the situation at Spring Grove, stating that basically it is now a gravel pit. Councilor W. Steere stated that he knows they missed their deadline for renewal last year and asked if they have renewed this year. K. Johnson replied in the affirmative and stated that they are up in November. Councilor W. Steere stated that there is a petition with 24 signatures. K. Johnson stated that Steve Cormier, who lives on Rainbow Road, submitted the petition last week. K. Johnson stated that he spoke to several residents in the area and has also spoken to Adler Brothers on numerous occasions. K. Johnson stated that the project has been going on for three (3) years now and the people in the neighborhood are tired of it. K. Johnson commented that Adler was fully aware of what they had to do, but his office and the Planning Department were unaware of the extent of what was going to be going on there. K. Johnson stated that it is hard to make that call in the beginning.

K. Johnson noted that as of today, there is still not a single house lot developed. K. Johnson stated that their vesting period is up in November, then they can be vested for one more year. Councilor W. Steere stated that hopefully Planning can tell them they need a date certain regarding when we can expect to see houses. K. Johnson stated that if the Planning Board knew it was going to be an extended period like this, it might have been denied.

Councilor W. Steere mentioned the petition with 24 signatures and asked what recourse we have. K. Johnson stated that he was in Adlers' office last week to try to work something out, but they shrug their shoulders at him.

Jean Fecteau, Town Clerk, stated that the Council does not have the latest version of the petition; she has since signed it, making it 25 signatures.

Councilor Forgue stated that if the Building Official told him he was doing something wrong, and another year went by, after a while he would think it was okay. K. Johnson stated that technically, by law, they are not doing anything wrong. K. Johnson commented that he "walks a fine line" and stated that Adler does not seem like the kind of company that would just dismiss this, but it seems like they are.

Karen Scott, Town Planner, stated that when they got their approval, state law gives them a certain amount of time to finish their project. K. Scott noted that the way the law is written, it is very permissive. K. Scott further stated that once that time frame is reached, it is at the Planning Board's discretion. K. Scott stated that Adler did provide a time line to the Planning Board last November, which K. Scott will scan and send to the Council.

- D. Diane Brennan, Finance Director, stated that the Director of Human Services employs two (2) part-time drivers, both of whom are out on medical leave. D. Brennan stated that the Director will go to a driver from a long time ago, but she

would like to advertise for a temporary driver. There was Council consensus to hire someone on a temporary basis.

XI. Bds. and Commissions Reports/ Discussion

None.

XII. Open Forum

- A. Dan Desautel and Cora Freelove, of Douglas Hook Road, spoke on behalf of their 91 year old grandmother who is no longer able to drive. C. Freelove asked if there is any type of transportation service for seniors to the Senior Center, similar to the service provided for medical appointments.

Councilor Reichert stated that there used to be a van which Larry Torti owned and he voluntarily provided transportation to the Senior Center. Councilor G. Steere stated that other people chipped in for insurance and other expenses. Councilor Reichert stated that when Larry moved on, nobody else “picked up the ball”. Councilor Reichert suggested that we may be able to work with the GBA to get it going again.

Councilor G. Steere noted that the Senior Center Director recently attended a seminar regarding seniors “aging in place” and being able to stay in their homes as long as possible. Councilor G. Steere stated that the Senior Center Director and the Director of Human Services have had discussion regarding providing transportation to the Center one day a week. Councilor Forgue stated that there is a process that this will have to go through, but offered his services in the meantime.

After further discussion, there was Council consensus to place the matter on the September Town Council agenda.

- B. Al Hill stated that he sent a letter to the Council asking for consideration regarding the number of events he is allowed with live entertainment outside. A. Hill explained that on June 29<sup>th</sup>, after a great deal of preparation and planning, they lost an event due to weather. A. Hill stated that he is not asking the Council for an additional event, he just wants to maintain the number of events that he is allowed to have. A. Hill noted that when an event is cancelled at the last minute, it’s not possible to reschedule for the next day. A. Hill asked to be allowed to maintain the overall number of events if something beyond his control causes him to lose an event that he has invested in.

Jean Fecteau, Town Clerk, stated that the problem is that there was a Public Hearing for this Special Event and it was approved for that date.

Councilor G. Steere stated that it is not supposed to be consecutive weekends, so that could come into play. A. Hill disagreed and stated that he can have consecutive weekends, but not consecutive days. J. Fecteau stated that he can have outdoor

entertainment twice a month but Special Events have to come before the Council. A. Hill stated that he was willing to use one of his entertainment events as a fund raiser for Operation Stand Down. Councilor G. Steere stated that it was approved at a Public Hearing for that specific date. J. Fecteau noted that outside entertainment and a special event are different things and can't be interchanged.

Councilor W. Steere stated that the Council decided on twice a month so the neighbors wouldn't have to listen to it more often than that. Councilor W. Steere further stated that A. Hill was lucky to get approved for the 29<sup>th</sup> because neither he nor his attorney showed up for the Public Hearing.

Councilor Forgue pointed out that this was a trial situation that the Council agreed to give Mr. Hill to see how it would blend with the neighbors. Councilor Forgue noted that he was the one who suggested that the Council give it a try. Councilor Forgue stated that to have three (3) events in a month is not fair to the neighbors and we should continue on with what we have offered.

J. Fecteau stated that Hill's has a bike run advertised for Saturday and asked if that will be inside. A. Hill replied in the affirmative.

Councilor G. Steere stated that this is Open Forum so the Council cannot act on anything. A. Hill stated that he did not expect any real action, but he just needed to ask.

Joseph DelPrete, Chief of Police, stated that there have been issues with the tavern not closing on time. Chief DelPrete stated that he has spoken to A. Hill a number of times regarding this matter. A. Hill explained that he has been having issues with his credit card system and if he doesn't get that machine to close by the time he leaves, he does not get his receipts for three (3) days. A. Hill noted that nobody is sitting at the bar, it is employees only diligently working trying to get out of there. Councilor Reichert stated that A. Hill has to start cashing out earlier because they are not allowed to stay there after closing time. Councilor Forgue reminded A. Hill that this is a trial period.

- C. Michelle Allen stated that the Gloucester Little League will be hosting its first Friendship Tournament this weekend and next weekend. M. Allen stated that a portion of the proceeds will be donated to Chief Dauphinais.
- D. Steve Cormier, of 71 Rainbow Road, stated that he wrote a letter to the Council and asked if he could read it publicly. Councilor W. Steere informed S. Cormier that the letter was discussed earlier in the meeting and the Council is looking into what can be done. S. Cormier noted that the signatures on the petition are people who are home during the day and he got the signatures in one (1) day. S. Cormier stated that the jack-hammering shakes his house and wakes him up. S. Cormier stated that he retired several years ago and was looking forward to spending more time at home, but it has been horrible. S. Cormier stated that he finds it coincidental that since July

9<sup>th</sup>, the day he collected signatures, everything has stopped for the first time in years, but he feels it will start back up again unless we do something. S. Cormier stated that he filed a claim for damage to his house, but after a lengthy investigation, it was denied. S. Cormier stated that the land is zoned for residential, not a quarry.

Councilor Forgue asked Ken Johnson, Building/Zoning Official, how many house lots are supposed to be developed. K. Johnson replied six (6) lots. Councilor Forgue asked how many acres is it. The response was 36 acres. Councilor Forgue asked, when they went before Planning, was there any discussion regarding how much clear cut there would be per lot. Councilor Forgue stated that he doesn't understand why they have to clear all that property for six (6) houses.

Councilor Henry stated that the Council told Adler Brothers a year ago that this wasn't the first time they developed a property and they knew what they were in for. Councilor Henry stated that it was high time for them to put a road in and start putting some lots in. Councilor Henry stated that they are coming up for a vesting period in November and hopefully we can get some things qualified.

- XIII. MOTION was made by Councilor W. Steere to Seek to Convene to Executive Session Pursuant to:
- A. R.I.G.L. 42-46-5 (a)(2) Collective Bargaining - Discussion and/or Action
  - B. R.I.G.L. 42-46-5 (a) (1) Personnel - Discussion and/or action

seconded by Councilor Forgue.

Discussion: None.

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

MOTION PASSED

- XIV. Reconvene Open Session  
Disclosure of votes taken or # of votes taken in Executive Session - Discussion and/or Action

MOTION was made by Councilor W. Steere to DISCLOSE that no votes were taken and to SEAL the minutes of Executive Session; seconded by Councilor Forgue.

Discussion: None.

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

MOTION PASSED

- XV. MOTION was made by Councilor to Adjourn at 10:18 p.m.; seconded by Councilor

Discussion: None.

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

MOTION PASSED