

At a meeting of the Town Council holden in and for the Town of Gloucester on December 7, 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, III; William E. Reichert and Patricia Henry.

Also present: Jean M. Fecteau, Town Clerk; Timothy Kane, Town Solicitor; Susan Harris, Deputy Town Clerk; Gary Treml, Director of Public Works; Diane Brennan, Finance Director; Ken Johnson, Building/Zoning Official; Joseph DelPrete, Chief of Police; and Robert Shields, Recreation Director.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Open Forum - For Agenda Items

None.

V. Resolution - Discussion and/or action

Councilor W. Steere read the following Resolution for the Ponaganset Unified Volleyball Team:

**RESOLUTION #2017-15
Ponaganset High School Unified Volleyball Team
2017 Champions**

WHEREAS: The Ponaganset Chieftains Unified Volleyball Team lead by Head Coach, Cheryl Etheridge along with the guidance of liaison, Beth Keeling, successfully took the Division 5 Championship for 2017; and

WHEREAS: the 2017 Volleyball Team worked hard to achieve this goal and proudly represent themselves, their team, their school, and their Chieftain community; and

WHEREAS: the Unified Volleyball Team represents the heart and determination of a true unified team and is an example of what can be accomplished when embracing the values and goals taught at Ponaganset High School, a Unified Champion School, and

Now, therefore, be it resolved that the Gloucester Town Council and the Town Clerk, on behalf of all Gloucester residents, express our sincerest congratulations to the:

2017 Ponaganset Chieftains Unified Volleyball Team

for their achievement of earning the title :

**Unified Volleyball Division 5
2017 State Champions**

George O. Steere, Jr.
Glocester Town Council President

Jean M. Fecteau, CMC, Town Clerk

Dated this 7th Day of December, 2017

seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

Councilor G. Steere presented the Resolution to Head Coach, Cheryl Etheridge. There was a round of applause for the Ponaganset High School Unified Volleyball Team.

Beth Keeling, liaison to the team, thanked the Council for thinking of them and celebrating with them. B. Keeling stated that the team is very proud of their accomplishment.

VI. Public Hearings

 A. Glocester Code of Ordinance

1. Proposed Amendments - Chapter 350, Article XI, Comprehensive Permit for Low & Moderate Income Housing, Delete 350-89, 91-98; Replace with new language for 89, 91-97 - Discussion and/or action

Councilor G. Steere stated that this Public Hearing was advertised on November 16th, 23rd, & 30th 2017 in the Valley Breeze/Observer and the first reading was held on November 2, 2017.

Councilor G. Steere DECLARED the Public Hearing Open and referenced for the record that a positive advisory opinion was received from the Planning Board. Councilor G. Steere noted that it was a unanimous decision by the Planning Board.

For the record:

Comprehensive Permit for Low and Moderate Income Housing
Zoning Ordinance Revision
Advisory Opinion of the Planning Board

At their November 6, 2017 meeting, Planning Board Member Michael DeGrange made the following motion:

After careful consideration and discussion at the October 16, 2017 special meeting and the

November 6, 2017 regular meeting, the Gloucester Planning Board hereby recommends that the Town Council enact revisions to the Gloucester Zoning Ordinance as detailed in the attached Draft Article XI, Comprehensive Permit for Low and Moderate Income Housing Zoning Ordinance revision attached hereto. Said revisions streamline the review process and outline incentives for the construction of low and moderate income housing as defined by RIGL 45-53, the Low and Moderate Income Housing Act. The Board recommendation in this regard is based upon the following Findings of Fact Relating to Consistency with the Gloucester Comprehensive Community Plan and Purposes of Zoning per RIGL Title 45 Chapter 24, 'the Zoning Enabling Act of 1991' as noted below.

Findings of Fact

Consistency with the Comprehensive Community Plan

1. The proposed amendments are consistent with Goal 2 of the Housing Element: Allow a full range of housing options, including style, setting, cost and location.
2. The proposed amendments are consistent with Goal 6 of the Housing Element: Provide opportunities for new housing that is geared to the needs of all segments of the population.
3. The proposed amendments are consistent with Policy 4 of the Housing Element: Balance the need of citizens' housing choices with the environmental development constraints prevalent in the town.
4. The proposed amendments are consistent with the following implementation item under recommendation 4h of the Land Use Element: Establish zoning, subdivision and/or land development regulations that consider site-specific and area wide environmental impacts resulting from any land development proposal.

Consistency with the Purposes of Zoning

The Planning Board finds that the proposed zoning amendments are consistent with the following general purposes of zoning ordinances per RIGL § 45-24-30:

1. Promoting the public health, safety and general welfare.
2. Providing for a range of uses and intensities of use appropriate to the character of the city or town and reflecting current and expected future needs.
3. Providing for orderly growth and development which recognizes: (I) The goals and patterns of land use contained in the comprehensive plan of the city or town adopted pursuant to chapter 22.2 of this title;

(ii) The natural characteristics of the land, including its suitability for use based on soil characteristics, topography, and susceptibility to surface or groundwater pollution;
(iii) The availability and capacity of existing and planned public and/or private services and facilities;
4. Providing for the control, protection, and/or abatement of air, water, groundwater, and noise pollution, and soil erosion and sedimentation;
5. Providing for the protection of the natural, historic, cultural, and scenic character of the city or town or areas in the municipality;
6. Promoting a balance of housing choices, for all income levels and groups, to assure the health, safety and welfare of all citizens and their rights to affordable, accessible, safe, and

- sanitary housing;
7. Providing opportunities for the establishment of low- and moderate-income housing.

In making this recommendation, the Board has considered the following:

1. Discussions held at the October 16, 2017 Special meeting and the November 6, 2017 regular meeting.

The motion was seconded by David Calderara. Motion was unanimously approved. Ayes - (Charette, Calderara, Furney, Pitocco, Folcarelli, Gross, DeGrange
(end of Planning Board motion)

Councilor G. Steere asked if anyone wished to speak regarding the proposed amendments to the Gloucester Code of Ordinance.

Hearing none, Councilor G. Steere DECLARED the Public Hearing Closed.

Discussion: None.

MOTION was made by Councilor Henry to AMEND (or Table the amendment to) Chapter 350, Article XI, Comprehensive Permit for Low & Moderate Income Housing, with the deletion of Chapter 350-Section 89, 91-98; and Replace with new language, as presented at Public Hearing 12/7/2017, for Chapter 350- Section 89, 91-97; and in doing so, the Council accepts the recommendations of the Planning Board; Said amendments effective upon passage; seconded by Councilor Burlingame.

Discussion: None

VOTE: AYES- G. Steere, Burlingame, W. Steere, Reichert and Henry

NAYS-0

MOTION PASSED

2. Proposed Amendments- Part 3 General Legislation Chapter 247 Taxation, Article XI, Renewable Energy Tax Exemption - Replace existing text to reflect R.I.G.L 44.3.3, 44.5.3, 44.3.21

Councilor G. Steere stated that this Public Hearing was advertised on November 22nd, 2017 in the Valley Breeze/Observer and the first reading was held on November 16, 2017.

Councilor G. Steere DECLARED the Public Hearing Open and asked if anyone wished to speak.

Hearing none, Councilor G. Steere DECLARED the Public Hearing Closed.

Discussion: None.

MOTION was made by Councilor W. Steere to AMEND Chapter 247, Article XI, as follows: To

rename Article XI. to “Renewable Energy Tax & Exemption”; to rename Section 43. “Taxation & Exemption for Renewable Energy Systems”; and to replace existing text as proposed at Public Hearing of December 7, 2017; Said amendments shall be effective upon passage; seconded by Councilor Burlingame.

Discussion: None.

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

MOTION PASSED

3. Proposed Amendment -Part 2. General Legislation: Addition of Chapter 120, Veterans Advocate - To Create a town volunteer position to assist Veterans

Councilor G. Steere stated that this Public Hearing was advertised on November 22, 2017 in the Valley Breeze/Observer and the first reading was held on November 16, 2017.

Councilor G. Steere DECLARED the Public Hearing Open and asked if anyone wished to speak.

Hearing none, Councilor G. Steere DECLARED the Public Hearing Closed.

Discussion: Councilor G. Steere explained that this is to create a position which Walter Bienieki had taken upon himself to do until his retirement. Councilor G. Steere stated that it is a volunteer position whose duties shall be to obtain and maintain current information regarding veterans’ rights and available benefits, and the advisor shall be a resource to all of Gloucester’s veterans by providing information from State and Federal veterans’ agencies.

Councilor Henry asked if this position should run concurrent with the Council’s term. There was Council consensus to add this to the proposed amendment.

MOTION was made by Councilor Burlingame to AMEND Part 2. General Legislation: Addition of Chapter 120, Veterans Advocate, text as presented at Public Hearing of December 7, 2017; said amendment shall be effective upon passage and the position shall be concurrent with the Town Council’s term; seconded by Councilor Reichert.

Discussion: Charles Vallor, resident, objected to the motion for the reason that is a volunteer position and should not be political. Councilor Henry replied that almost all appointed boards and commissions run concurrent with and are appointed by the sitting Council. C. Vallor stated that he feels this is ridiculous, adding that the Council may have trouble finding somebody to do the job because there is a lot of responsibility. Councilor Henry stated that it is not political and her intent was to make the position consistent with the way other boards and commissions run. Councilor G. Steere agreed and stated that even most Department Heads terms are concurrent with the Council. Tim Kane, Town Solicitor, stated that almost every city does this and the people get reappointed every two (2) years.

Councilor Reichert stated that there won't be anybody looking for the position and C. Vallor could be there until he quits. Councilor G. Steere asked C. Vallor to trust the Council and stated that they are not doing this for political reasons.

Ed Thomas, resident, expressed agreement with C. Vallor stating that Walter Bienieki was Gloucester's veterans' officer for 15 years and served on the Board of Directors for the State. E. Thomas stated that it was not political for 15 years and questioned why it has to be now. Councilor Henry replied that W. Bienieki was never appointed by the Council. E. Thomas stated that the Town recognized Mr. Bienieki as a Veterans' Officer. Councilor G. Steere stated that Mr. Bienieki was never formally appointed and that is why the Council wants to create the position. Councilor Reichert pointed out that the Department of Veterans' Affairs wants us to appoint somebody from the Town to this position. Councilor Henry reiterated that she had no agenda in making that motion other than consistency.

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

MOTION PASSED

VII. Consent Items - Discussion and/or action

A. Approval of Town Council meeting minutes of November 16th, 2017

MOTION was made by Councilor Henry to APPROVE the Town Council meeting minutes of November 16, 2017; seconded by Councilor Reichert.

Discussion: None.

VOTE: AYES- G. Steere, W. Steere, Reichert and Henry
NAYS-0
RECUSED - Burlingame (absent from the meeting of November 16, 2017)

MOTION PASSED

VIII. Unfinished Business

A. Boards & Commissions

1. Appointments - Discussion and/or action

a. Conservation Commission

One Alternate term to expire 2/2018

Councilor G. Steere stated that the Chair of the Conservation Commission has recommended Steve Clifford for the vacant position on the Conservation Commission. The Clerk has a talent bank app.

MOTION was made by Councilor W. Steere to APPOINT Steve Clifford to the Conservation Commission for a one year, Alternate term, to expire 2/2018; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

Councilor Henry stated that she read the talent bank application and it always excites her when we have a new resident in Town who wants to become involved in the community.

- b. Zoning Board of Review
One Alternate #2 Term to expire 1/2018

Councilor G. Steere stated that this item was tabled until our Solicitor could verify whether the person requested by the Chair could take the position as they are a Town employee. Councilor G. Steere stated that T. Kane informed the Clerk that a town employee could not be a member of the Zoning Board per the Town Charter.

MOTION was made by Councilor Burlingame to TABLE the appointment to the Zoning Board of Review for the alternate #2 position to expire 1/2018; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

- c. Senior Center Board of Directors
One expired five year term to expire 11/2022

Councilor G. Steere stated that this item had been tabled previously and we still do not have a volunteer for this position. Councilor Burlingame stated that we are still in the process of evaluating the necessity for this Board.

MOTION was made by Councilor Burlingame to TABLE the appointment to the Senior Center Board of Directors for one term to expire 11/2022; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

- 2. Boards & Commissions - Discussion and/or action
 - a. Inactive Boards & Commissions -(Personnel Board; Affordable Housing Board; Community Resource Commission; Economic

Development) - Status & Action

Councilor G. Steere stated that this was previously tabled for further discussion.

Discussion: Councilor G. Steere stated that it was discussed that Karen Scott would handle getting the Affordable Housing Board back on track. Councilor W. Steere stated that we are probably looking at a February/March time frame.

Councilor Henry stated her opinion that she would like to revive the Economic Development Commission because we have many empty spots in Town where we do not have businesses. Councilor Henry stated that we do not have any organization in Town that can actively solicit businesses and we cannot rely on the GBA to do it. Councilor W. Steere stated that in the past there were issues with getting volunteers and making sure the ones we had “stayed in their lane” and stuck with the goals and what the board was supposed to do. Councilor W. Steere commented that with the right people, it could work.

Councilor G. Steere stated that other than Affordable Housing, we have the Personnel Board, Community Resource Commission and Economic Development Commission to address. Regarding the Personnel Board, Councilor Burlingame stated his opinion that this board is no longer needed because we have a Human Resource Director and department heads that are very active in the interview process. Councilor Burlingame asked if this is in the Code of Ordinance. J. Fecteau, Town Clerk, replied that the Personnel Board is a Town Ordinance which was adopted in 1991, therefore a Code amendment would be required. Councilor Burlingame noted that he was on the Council in 1991 and this was added because we had no Personnel Handbook or procedures and policies in place. Councilor Henry stated that she was appointed to the Personnel Board at that time. Councilor Burlingame stated his opinion that the Personnel Board is not relevant today and recommended that we change the Code to eliminate it.

Councilor Henry asked, if we disband the Personnel Board through an Ordinance amendment, what would happen in the future if we decide we need it. Councilor Henry asked if we could just make it inactive. Councilor Burlingame replied that being bound by Ordinance is a problem, and suggested that if we need assistance in the evaluation of a position, a search committee could be appointed.

T. Kane agreed, stating that if we are not using it we don't want somebody making the argument that “they should have gone before the Personnel Board”. Councilor Burlingame stated that he has heard this in the past and the Council has had to defend decisions that they made. Councilor Burlingame stated that the Department Head or Director is more qualified to judge the qualifications of a candidate than someone on the Personnel Board. Councilor G. Steere noted that we recently adopted the procedure for hiring which does not mention the Personnel Board.

MOTION was made by Councilor Burlingame to set a First Reading to amend the Code of Ordinance to eliminate the Personnel Board; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

J. Fecteau stated that there are enough members on the Affordable Housing Board so when the Planner is ready, a meeting can be called. Regarding Community Resource, J. Fecteau stated that it appears on the books that they have enough for a quorum, however one member has moved and is now an inactive voter and can be removed as a result. J. Fecteau stated that she has not called the remaining members again because she wanted to see what the Council's plan is before she asks them, again, if they are still interested.

Councilor G. Steere stated that if we want to keep these two (2) boards, we should advertise for volunteers. Councilor Henry stated that we should also come up with what their charge should be. J. Fecteau stated that she needs to know what the charge is before she advertises.

MOTION was made by Councilor Burlingame to TABLE the discussion of Inactive Boards & Commissions; seconded by Councilor Reichert.

Discussion: J. Fecteau asked if Economic Development will be included in the discussion. Councilor Burlingame replied in the affirmative. Councilor Henry offered to write the charge for Economic Development and bring it forward to the Council.

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

MOTION PASSED

IX. New Business

A. Appointment - Discussion and/or action

1. Veterans Advocate

MOTION was made by Councilor Burlingame to APPOINT Charlie Vallor to the position of Veterans Advocate with a term to expire 12/31/2018 (concurrent with Council); seconded by Councilor Reichert.

Discussion: Charlie Vallor stated that it will be an honor to serve. Councilor Burlingame expressed appreciation for Mr. Vallor stepping forward. Councilor G. Steere stated that C. Vallor is a Vietnam Veteran, having served in the Marines, and is a perfect candidate for this position.

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

MOTION PASSED

B. Boards & Commissions

1. Appointments - Discussion and/or action

a. Budget Board

Two Three year terms to expire January 2021

Councilor G. Steere stated that this is for the expired terms of David Steere and David Lohr. Councilor G. Steere explained that their terms technically expire in January but for the sake of the election of the Budget Board officers, Council is being asked to appoint now.

MOTION was made by Councilor Henry to REAPPOINT David Steere and David Lohr to the Budget Board for three year terms to expire January, 2021; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

C. Ratification

1. Holiday Wreath (on period light poles) expenditure from Town Council Contingency Fund - Discussion and/or action

Councilor G. Steere stated that there was a consensus of the Council to expend funds for wreaths on the decorative light poles again this year, which now needs to be ratified.

MOTION was made by Councilor Reichert to RATIFY the expenditure of funds, from the Town Council Contingency Fund, for the purchase of wreaths placed on the decorative light poles in the village for an amount not to exceed \$500; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

2. Holiday Tree Lighting Event expenditure from Recreation Budget- Discussion and/or action

Councilor G. Steere stated that a consensus was reached to authorize the Recreation Director to expend funds from his budget for a Christmas tree lighting.

MOTION was made by Councilor Henry to RATIFY the expenditure of \$1,350.00, from the Recreation budget, for the purpose of hiring an event coordinator for a holiday tree lighting at the pavilion; seconded by Councilor Burlingame

Discussion: None.

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

MOTION PASSED

D. R.I. Resource Recovery - PAYT Program

Authorization of Signature: Gloucester's Letter of Intent - Discussion and/or action
Gary Trembl, Director of Public Works, stated that Resource Recovery is trying to start a Pay As You Throw program and they need 25% of cities and towns to indicate that they are interested or they will not move forward because it will not be worthwhile. G. Trembl noted that our price went up last year and will again increase this year. G. Trembl further stated that we can no longer recycle rigid plastic and have to pay \$47.00 per ton to dispose of it. G. Trembl stated that our tipping fees will be approximately \$115,000 per year.

G. Trembl stated that if we participate in this program, any trash that is in bags would not incur a tipping fee. G. Trembl stated that 30 gal. bags would be \$.90 apiece, 15 gal. bags would be \$.59 apiece, and senior bags (8 gal.) would be \$.40 each. G. Trembl commented that we could save a significant amount of money on tipping fees. G. Trembl stated that right now, everyone pays the same; the senior citizen who brings in one bag a week supports the person who bring in ten bags a week. G. Trembl stated that cities that have this program have reduced their trash by up to 50%. G. Trembl stated that if we cut our trash by 25%, that would be approximately 540 tons, saving us \$25,380 per year. G. Trembl further stated that it would result in 54 fewer trips to the landfill with our trucks and the costs associated with that.

G. Trembl noted that there would be some challenges to this program because the loads have to be only the recycled bags or they may be rejected. G. Trembl stated that the employees at the Transfer Station cannot be watching every minute.

Councilor Henry stated that Waste Zero was going to be the pilot company to run this program for Resource Recovery, but when she attended a meeting several months ago, Waste Zero was not mentioned. G. Trembl stated that Waste Zero is no longer involved. Councilor Henry commented that Waste Zero had an aggressive and helpful marketing plan for communities and asked if RI Resource Recovery will have that. G. Trembl replied that RIRR is not at that point yet but he believes they will help the cities and towns in everybody's best interest. Councilor G. Steere stated that the letter states that a third party vendor will be engaged to promote and implement the program.

Councilor Burlingame asked if we sign up, will tipping fees go away. G. Trembl replied in the affirmative, but noted that we will still have to pay for rigid plastic disposal. G. Trembl stated that we would save roughly \$100,000 in tipping fees for trash.

Councilor G. Steere stated that when we spoke about this before, it came out that in some towns this was considered a revenue stream. Councilor G. Steere stated that we are not looking at it as a revenue stream; whatever we will save we will show coming out of the budget, so the residents are not going to be paying for the bags and still be paying for tipping fees. G. Trembl agreed, stating that he has broken down all of the costs associated with waste disposal and if we join the program, the line item for tipping fees would be drastically reduced. G. Trembl stated that the money from the bags would go to Resource Recovery to run the landfill.

Councilor Burlingame asked how many households there are in Gloucester. G. Trembl replied

approximately 4,000. Councilor Burlingame commented that the cost for the bags in the course the year will be the offset of the tipping fees. Councilor Burlingame asked if anyone has calculated an estimate of the household cost of the bags. G. Treml replied that it is very subjective because if someone decides not to recycle, they would use more bags.

Councilor W. Steere stated that for his household, he estimates that bags will cost between \$75 and \$90. Councilor W. Steere stated that if 4,000 households average \$75 per year, it comes up to \$250,000 that residents are going to pay.

Councilor Burlingame asked if we sign up, is it just an indication that we are willing to consider the concept. G. Treml replied that this would not be a rock-solid commitment; Resource Recovery is just looking to determine if they have enough communities interested to move forward with the program. Councilor Burlingame questioned what is the alternative. G. Treml replied that they will just continue to raise the rates.

Councilor Henry stated that there is no guarantee regarding how long they will not charge tipping fees. Councilor Henry stated that until we see the contract, we don't know what we're going to get.

Councilor G. Steere stated that the advantage to starting our own program is that we could set our own rates to keep the cost to the taxpayers neutral. Councilor G. Steere commented that it is inevitable, whether we do our own or the State does it. Gary Treml noted that if we do our own, we will still have to pay to dump. Councilor Burlingame stated that this has changed since we first discussed it a year ago. G. Treml stated that at that time, we would keep the money from the bags and pay a tipping fee, but now they would take the money from the bags instead of a tipping fee. Councilor Burlingame stated that this makes it an entirely different situation.

Councilor W. Steere stated that he has said this before and he will say it again, he is not in favor of any Pay As You Throw program until the State absolutely makes us do it. Councilor W. Steere expressed his opinion that it is an extra tax. G. Treml stated that he does not see it that way. G. Treml stated that in Tiverton, for example, it took many years to get it passed but they are happy they did it because their trash has been reduced by 50%.

Councilor Henry stated that the reality is that they will dictate what we do anyway and if we get on board later we won't get the benefits of getting on sooner.

Councilor W. Steere stated that we will pay either way. G. Treml pointed out that the program is fairer than if the cost is spread out equally among everyone. Councilor W. Steere stated that it is like the schools, where he doesn't have kids but is paying the same taxes.

Councilor Henry stated for the record that it is inevitable but the bigger issue is that it is the environmentally right thing to do and will make people think about recycling, composting and dealing with trash in a responsible way. Councilor Henry stated that it will be painful to implement and will not be popular, so it's important that we have a good marketing strategy and make sure our residents understand why we are moving in this direction.

Councilor Burlingame noted that there has been a problem with trash blowing out of trucks and this will result in a lot less litter in town. Councilor Burlingame stated that he has no objection to the letter of intent because it does not bind us to anything and would give us the opportunity to evaluate their proposal.

Councilor G. Steere agreed, but stated that the letter says that we will “ensure” that we will amend our agreement if this goes through. Councilor Burlingame stated that if it is non-binding, the word “ensure” should not be used. Tim Kane, Town Solicitor, stated that we could take it out.

Councilor Reichert asked if the Transfer Station will still be open for those who do not want to buy the bags. G. Treml replied that we would have to have a separate container and pay \$47 per ton to dispose of it.

Councilor W. Steere asked if other towns allow non-purchased bags. Discussion followed concerning how other municipalities deal with their trash.

T. Kane asked if this letter is a form letter provided by Resource Recovery. G. Treml replied in the affirmative. Councilor W. Steere questioned if a revised letter would be accepted. Councilor Burlingame replied if they don’t, so what. T. Kane stated that the sentence with the word “ensure” would have to be tweaked as follows:

“We also understand that if Resource Recovery adopts this centralized PAYT program, an addendum to the contract for our FY 18-19 agreement will be considered by the Town of Gloucester.”

Councilor Burlingame stated that this may encourage Resource Recovery to do something better. Councilor W. Steere commented that they don’t need encouragement; they will do whatever they want and we won’t have a say. Councilor G. Steere stated that the program is intended to cut down on trash and increase recycling to avoid filling up the landfill. Councilor W. Steere stated that he understands that, but another point is why should we penalize our residents because the larger municipalities don’t do what they’re supposed to do.

MOTION was made by Councilor Burlingame to AUTHORIZE the Town Council President to sign Gloucester’s Letter of Intent expressing our commitment to the implementation of Rhode Island Resource Recovery’s efforts to go forward with a statewide PAYT plan, with the addition of the following language: “We also understand that if Resource Recovery adopts this centralized PAYT program, an addendum to the contract for our FY 18-19 agreement will be considered by the Town of Gloucester.”; seconded by Councilor Reichert.

Discussion: G. Treml asked if the Council wanted him to contact RI Resource Recovery regarding the change in the wording of the Letter of Intent. The Council responded in the negative.

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

MOTION PASSED

E. Financial Assignments - FY 2017 - Discussion and/or action
Councilor G. Steere read the following request from the Finance Director:

From: Honorable Town Council
Re: Diane L. Brennan, Director of Finance
Fiscal 2017 Fund Balance Assignments
Date: November 28, 2017

Below are the recommended assignments of the fund balance for Fiscal Year 2017.

The amounts listed and the particular assignments are as follows:

Tree Planting	\$ 1,508
Healthcare reserve	\$ 387,478
Other Post Employment benefits	\$ 168,260
Police equipment maintenance	\$ 47,362
Senior Center dues	\$ 7,907
Radio contracts	\$ 71,557
Comprehensive Plan	\$ 35,195
Computer System maint	\$ 125,050
Revaluation Expense	\$ 290,886
Storm Fund	\$ 282,055
Compensated Absences	\$ 456,127
Matching Grants	\$ 50,000
Mobile radio replacement	\$ 36,800
Portable radio replacement	\$ 43,000
Stage II School Renovation Projects	<u>\$ 900,000</u>
Total	\$2,903,186

The amounts listed are to be assigned from the fund balance. I would ask for approval to include these assignments as part of the Comprehensive Financial Statements for the year ending June 30, 2017.

(End of memo)

Discussion: Councilor Burlingame stated that these are the assignments that are made at the end of the year from the General Fund. Councilor Burlingame noted that it is a bit less than last year and the big item is the \$900,000 for the school renovations. Councilor Burlingame stated that this still leaves us with about 16% surplus on the budget.

MOTION was made by Councilor Reichert to AUTHORIZE the assignments outlined above from the 2017 fund balance and to include these assignments as part of the Comprehensive Financial Statements for the year ending June 30, 2017; seconded by Councilor Burlingame.

Discussion: None.

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

MOTION PASSED

Councilor Burlingame commented that this shows that we have good financial control and thanked Diane Brennan, Finance Director, for a good job.

F. Letter of Support - Re: Town of Burrillville, Invenergy Power Plant - Discussion and/or action

Councilor Henry stated that we received a letter from the Burrillville Town Council president regarding a Resolution we adopted, along with 33 other communities, in support of the town of Burrillville's opposition to the power plant proposal. Councilor Henry stated that Burrillville received a letter from the EFS Board acknowledging the Resolutions, but declaring them "irrelevant" and a "waste of time". Councilor Henry stated her opinion that this is unacceptable and that she would like to take this a step further and draft a letter to our Governor expressing our disappointment with the response to the Resolutions. Councilor Henry further stated that it is her opinion that the Governor's process is undemocratic and wrong. Councilor Henry noted that the Governor appointed the EFS Board and gave them the sole responsibility to decide if this plant goes. Councilor Henry stated that a letter should be sent to the Governor because she's the one who has empowered this board.

Councilor Burlingame pointed out that the Resolution was not in opposition of the power plant but in support of Burrillville's opposition. Councilor Henry stated that what she is against is the Governor's non-democratic process. Councilor Reichert commented that the Governor supports building the power plant and the Board is supposed to be sitting alone. Councilor G. Steere agreed with Councilor Henry's position and stated that the Energy Siting Board declaring that Resolutions from 33 cities and towns are irrelevant and a waste of their time to consider is a slap in the face.

There was Council consensus to send the letter to the Governor.

MOTION was made by Councilor Henry to write a letter with the Town Clerk on this issue, which will be finalized and signed by the Town Council; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

G. Authorization of Signature:

1. Grant Agreement Amendment
Between R.I. Dept. of Elderly Affairs & Town of Glocester - Discussion and/or action

Councilor G. Steere stated that the Senior Center Director has requested Council's authorization

on an amendment to a grant agreement between the town and Dept. of Elderly Affairs.

Discussion: Diane Brennan, Finance Director, explained that this was a grant that Burrillville had received, however their Senior Center operations have ceased. D. Brennan stated that the funds will now be directed to Gloucester.

MOTION was made by Councilor Reichert to AUTHORIZE the Town Council President to sign the Grant Agreement Amendment, between the Town of Gloucester and the R.I. Dept. of Elderly Affairs, to amend the \$3,557 2017 grant amount by adding additional funding of \$5,492.00 for a grant total of \$9,049.00 for the performance period of July 1, 2017 – June 30, 2018 (the “Agreement”) for the purpose of senior center operations; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

2. Escrow agreement/1378 Snake Hill Solar
Between Town of Gloucester/ Customers Bank/ Hopkins - Discussion and/or action

Tim Kane, Town Solicitor, explained that the Zoning Ordinance regarding solar installations requires some form of surety that when these facilities run their life, they will be removed. T. Kane stated that this is an escrow agreement that puts \$19,892.30 in an account for a minimum of 20 years and requires the Town to sign off before funds are released. T. Kane stated that this is preferable to having a bond.

MOTION was made by Councilor Reichert to AUTHORIZE the Town Council President to sign the Escrow Agreement, dated December 7, 2017, between Town of Gloucester/ Customers Bank/ & Kenneth A. Hopkins for the property located at 1378 Snake Hill Road to secure removal of solar equipment upon termination of lease on said property; seconded by Councilor Burlingame.

Discussion: Jean Fecteau, Town Clerk, asked if this document must be recorded in Land Evidence. T. Kane replied in the negative.

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

MOTION PASSED

3. R.I. Atty. General’s Annual Certificate of Compliance - Records Officer
(Town Clerk) - Discussion and/or action

Councilor G. Steere stated that the Clerk has asked the Council to authorize the Council President to sign the annual certificate of compliance, dated December 7, 2017, required for the clerk to continue as Records Officer for the Town. Councilor G. Steere noted that the Clerk has attended

this year's training session and has also viewed online training on public records and open meetings.

MOTION was made by Councilor Reichert to AUTHORIZE the Town Council President to sign the R.I. Atty. General's Annual Certificate of Compliance, dated December 7, 2017, for certification of Town Clerk, Jean Fecteau as the Town of Gloucester's Records Officer; seconded by Councilor W. Steere.

Discussion: None.

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

MOTION PASSED

- H. Exception to the Ordinance Regulating the Issuance of Building Permits -
 - 1. Discussion and/or action on process for request from relief received by Town Clerk

Councilor G. Steere stated that the current owner of property on Coniston Street is requesting Council consideration of relief from stipulations placed on the previous owner of the property regarding the pavement type to be used on the driveway. Councilor G. Steere stated that the property had been through the Exception to the Ordinance Regulating the Issuance of Building Permits process and this was one of the stipulations. Councilor G. Steere noted that this is the second person to ask for relief from the original stipulations, Barry King, previous owner, was denied, after a Public Hearing, in July of this year.

Councilor G. Steere stated that the procedure is the request would go to Planning Board for an opinion and then a Town Council Public Hearing would be held, but the applicant is looking for relief from the Planning Board portion of the process.

Discussion: Councilor G. Steere noted that the last time this was before the Planning Board, they did not take a vote before sending it to the Council. George Charette, Planning Board chair, stated that the Planning Board did not take a position because of issues regarding the maintenance of porous pavement, however since that time, it has been proven effective, although it still has to be maintained.

Councilor Reichert stated that he was on the Planning Board when this first came up. Councilor Reichert stated that this type of pavement is used all over and there is no maintenance because the rain washes it naturally. Councilor Reichert noted that it is used on all the highways and the State does not perform maintenance on them.

Councilor G. Steere stated that he recalls that the porous pavement was to prevent runoff onto Tucker Street. Gary Treml, Public Works Director, stated that the first 125 feet of that road is ledge and the new owner does not want to take the ledge out and wants to pave with regular pavement.

J. Fecteau, Town Clerk, stated that it is in the Code of Ordinance that this must go to the Planning Board for an advisory opinion before it goes before the Town Council. Councilor G. Steere stated

that the Council does not have the authority to waive the requirement to go before the Planning Board.

Tom Colucci, builder, stated that he did not want to use the porous pavement because he was told by engineers that it breaks up. Councilor G. Steere reiterated that the policy is “written in stone” and the Council does not have the authority to allow the applicant to circumvent the process. T. Colucci stated that they are ready to go and wanted to have it done before winter. Councilor Reichert commented that when this came before the Planning Board, the residents were against it and the only reason the lot was approved was because porous pavement was going to be used.

T. Colucci stated that if it will be a waste of time, he will not follow through with it. Councilor G. Steere stated that he cannot speak for the Planning Board, but they chose not to provide an opinion the first time and sent it to the Council without a positive or negative recommendation. T. Colucci thanked the Council for their time.

X. Town Council Correspondence /Discussion

- A. Councilor G. Steere stated that a letter was received from Narragansett Improvement concerning permits that they did not take out at the school. Councilor G. Steere noted that Ken Johnson, Building Official, is dealing with that.
- B. Councilor G. Steere stated that correspondence was received from National Grid regarding a rate increase that they have requested with the Public Utilities Commission. Councilor G. Steere noted that the letter states that the base rate has not increased in five (5) years. Councilor G. Steere stated that they underlined “base” because perhaps they have different rates which have increased.
- C. Councilor G. Steere stated that a letter was received from Al Aubin of Jackson Schoolhouse Road concerning the Town beaches, life guards, land line phones at each beach and aquatic vegetation problems.
- D. Councilor G. Steere stated that a letter was received from a legal firm, Blais Cunningham & Crowe Chester, requesting a tax abatement on one mobile home and for the Town to forgive two mortgages on a second mobile home. Jean Fecteau, Town Clerk, stated that the Council had referred this to the Tax Collector who responded in the negative. J. Fecteau stated that the letter sounds like the law firm is not acknowledging the Tax Collector’s response. J. Fecteau stated that she called and left a message stating that we have already answered them once and if there is something else they want, they should restate their letter. J. Fecteau stated that no one has called her back.
- E. Councilor Henry spoke regarding Land Trust minutes where every month, there is a motion to pay Mr. Belivacqua, their attorney, \$1,000. Councilor Henry stated that she also read in their minutes that they are seeking to increase the attorney’s fees. Councilor Henry questioned why the Land Trust has to have a blanket attorney at

their meetings and suggested that they just use their attorney when they need a legal opinion and pay him accordingly. Councilor W. Steere, liaison to the Land Trust, stated that he will forward the question to the chair of the Land Trust.

Councilor G. Steere stated that he asked the question once and the response was that it is a package deal as an annual stipend and if the attorney was billed separately by the hour, it would be much more.

XI. Department Head Reports/Discussion

A. Diane Brennan, Finance Director, reported that the new employee in her office has given her notice and is gone due to health reasons. D. Brennan asked for a consensus to investigate whatever possibilities are out there to fill the position as soon as she can. There was Council consensus for the Finance Director to do what she needs to do. D. Brennan stated that she will advertise but she would like to explore the options. D. Brennan commented that it is a tight field and there is not a lot available.

D. Brennan spoke regarding the School budget, stating that the first passage went before the School Committee on Tuesday. D. Brennan stated that there are not too many expenditures that are increasing. D. Brennan noted that they had to dip into their fund balance last year and it looks like that will continue because the revenue stream is decreasing.

B. Joseph DelPrete, Chief of Police, stated that he will have a memo to the Council at the next meeting regarding the position of School Resource Officer.

C. Councilor G. Steere addressed Bob Shields, Recreation Director, stating that the tree lighting ceremony at the Pavilion was a big success. Councilor Henry agreed and stated that it was great to see the community bustling.

XII. Bds. and Commissions Reports/ Discussion

A. George Charette, Planning Board chair, spoke about the Pavilion, stating that the endeavor from when it was a grass field to tonight's event and the previous two (2) events makes him proud. G. Charette thanked everybody who took part in getting this accomplished. The Council members expressed appreciation to G. Charette for all of his help and hard work.

XIII. Open Forum

None.

XIV. Adjourn

MOTION was made by Councilor Burlingame to ADJOURN at 9:24 p.m.; seconded by Councilor Reichert.

VOTE: AYES- G. Steere, Burlingame, W. Steere, Reichert and Henry

NAYS-0
MOTION PASSED