

At a meeting of the Town Council holden in and for the Town of Gloucester on November 16, 2023

I. Call to Order

The meeting was Called to Order at 7:30 P.M. by Councilor W. Worthy , Town Council President.

II. Roll Call

Members present: Cheryl A. Greathouse; Jonathan E. Burlingame; Walter M. O. Steere, III; Stephen W. Arnold, Vice President; William A. Worthy, Jr., President

Also Present: Jean Fecteau, Town Clerk; David Igliazzi, Town Solicitor; Christine Mathieu, Deputy Town Clerk; Mark Capuano, Finance Director; Joseph Delprete, Police Chief ; Gary Treml, Director Public Works; Karen Scott, Town Planner; John Luszczyk, Director Human Services; Gerry Mosca, EMA Director; Robert Shields, Recreation Director (arrived at 10:00 pm)

III. Pledge of Allegiance.

Councilor W. Worthy asked all to please rise to join us in the Pledge.

Councilor W. Worthy asked all to remain standing in observance of a moment of silence in honor of Captain Joseph Mattera.

IV. Open Forum - For Agenda Items

Councilor W. Worthy asked if anyone wished to speak on an agenda item to step to the microphone and state your name when called on.

None

V. Citation

A. #2023-07- Service Recognition - John Pitocco

Councilor W. Worthy stated that Council has prepared a Citation in recognition of resident/volunteer John Pitocco upon his “retirement” from the Juvenile Hearing Board which he read as follows:

State of Rhode Island
Town of Gloucester

Citation # 2023-07

John Pitocco

In recognition and great appreciation for your valued contribution to the Town of Gloucester during your years of service, since 2005, on the Foster-Glocester Juvenile Hearing Board.

You have served all the residents of Gloucester with your honesty, compassion, integrity and your real desire for restorative justice.

Your commitment and caring to Gloucester's youth, and your sense of empathy for these young people will serve them to choose the right paths in their life as they move on to adulthood.

We appreciate your commitment and acknowledge your service to our community. Your fellow members will miss you.

The Town Council wholeheartedly represents all of Gloucester residents when we say " Thank You"

Councilor William A. Worthy, Jr., Pres. Jean M. Fecteau, CMC, Town Clerk
Councilor Stephen W. Arnold ,Vice-President
Councilor Jonathan E. Burlingame
Councilor Cheryl A. Greathouse
Councilor Walter M.O. Steere, III

Adopted this 16th day of November, 2023

seconded by Councilor S. Arnold

Discussion: None

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
 NAYS-0

MOTION PASSED

Discussion: J. Pitocco stated it was an honor to serve on the Board and that the Board is in good hands. J. Pitocco stated his thanks.

B. #2023-08 In Memoriam - Retired Captain Joseph Mattera
Councilor W. Worthy stated that Council has a Citation in memory of Retired Captain Joseph Mattera which he read as follows:

State of Rhode Island
Town of Glocester

Citation # 2023-08

Captain Joseph Mattera

In recognition of a true community servant who served with distinction as a 34 year member of the Glocester Police Department, achieving the rank of Captain in 2017.

Joe served the residents of Glocester with his professionalism, straightforwardness, integrity and dedication to the Police Department.

A man beloved by the citizens of northern Rhode Island who contributed to coaching and refereeing youth hockey games, for many years.

We appreciated his commitment to always serving as he felt was right, and acknowledge his service to our community in a position where his safety was always second place to ours.

Captain Mattera, you will be missed but not forgotten.
The Town Council wholeheartedly represents all of Glocester residents when we say "**Thank You**" & **God Bless you**.

Councilor William A. Worthy, Jr., Pres. Jean M. Fecteau, CMC, Town Clerk
Councilor Stephen W. Arnold, Vice-President
Councilor Jonathan E. Burlingame
Councilor Cheryl A. Greathouse
Councilor Walter M.O. Steere, III

Adopted this 16th day of November, 2023

seconded by Councilor W. Steere

Discussion: Councilor W. Steere stated that Captain Mattera served the town for thirty four years W. Steere stated that Captain Mattera would put himself in the line of duty to protect all of us and offered his thanks.

Councilor W. Worthy stated that he and his wife, Melissa , had gotten to know Captain Mattera very well and that Captain Mattera loved and cared about this town. Councilor W. Worthy asked Chief Delprete to present the Citation to Captain Mattera's family.

Captain M. Fague stated that Captain Mattera was always there; that he was old school ; and, that he was part of the crew that brought the department forward when it was going through changes. Captain Fague stated that Captain Mattera worked closely with Chief Hainsworth and with Chief Delprete and that he was one of those guys who would protect anyone.

Chief J. Delprete stated that the Council is honoring J. Pitocco tonight for his time on the Juvenile Hearing Board and stated that one of Captain Mattera's strong points was his work with the Juvenile Hearing Board. Chief Delprete stated that Captain Mattera was loyal, devoted and passionate about Glocester. Chief Delprete wished Captain Mattera to rest in peace and that all are honored to have known him.

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

VI. Public Hearings- Discussion and/or Action

A. **EARTH REMOVAL** - New License

1. Applicant: J. R. Vinagro Corporation

Address: 2208 Plainfield Pike, Johnston, RI 02919

Proposed Earth Removal Location: Route 44/Putnam Pike
further described as AP 14, Lots 18, 19 & 20

Councilor W. Worthy stated that this Public Hearing was advertised in the Valley Breeze Observer on November 2nd, 2023 and abutters were notified.

Councilor W. Worthy DECLARED the Public Hearing OPEN.

Councilor W. Worthy stated that anyone wishing to speak regarding this application may step to the microphone when called on and state their name for the record prior to speaking.

Discussion:

T. Kane, attorney, representing J. R. Vinagro Corporation, stated his opinion that it is a very fine company and that Mr. J. Vinagro has ties to Gloucester as he lives in town and his children attend Gloucester schools. T. Kane stated that S. Lombardi, employee of J. R. Vinagro, is present tonight to answer questions and he also has local ties as he also is a resident of Gloucester. T. Kane stated his opinion that J. R. Vinagro Corporation has a good reputation and does good work. T. Kane stated that the company also does site work and construction in addition to earth removal. T. Kane stated he has provided Council with the application, a narrative, a plan showing the existing gravel operations, a soil plan and a grading plan. T. Kane stated that the following people are available to answer any questions: K. Braga as to environmental issues; S. Lombardi as to day to day operations and K. Demers from Diprete Engineering as to any technical questions.

T. Kane stated that they came before Council because the Gloucester Code requires a new license if there is a new owner who will engage in earth removal.

J. Fecteau, Town Clerk, asked if the map being shown is the same as the one in the application. T. Kane stated that it was.

Councilor S. Arnold asked if J. R. Vinagro was asking for what Adler's had. T. Kane stated that J. R. Vinagro was asking for the same earth removal license as had been granted to Adlers but also stated he felt that as a larger company they could do it faster.

Councilor W. Steere asked what was meant by the occasional work on Saturdays. S. Lombardi, J. R. Vinagro Corp., stated that it means 1 or 2 Saturdays a month from April to October. Councilor C. Greathouse asked if Adlers worked on Saturdays at the site. J. Fecteau stated that the Gloucester Code of Ordinance allows for earth removal on Saturdays. S. Adler, Adler Brothers Construction Co., stated that they worked 1-2 Saturdays per month.

Councilor W. Steere asked about how neighbors will be notified of any blasting. S. Lombardi stated that J. R. Vinagro Corp. will use the same blasting company as used by Adlers Bros. and that the blasting company notifies the neighbors. S. Lombardi stated that the police would also be notified.

G. King, resident, stated that he lives next to this property and has significant frontage that runs along side of it. G. King stated he has never had a complaint about Adlers. G. King stated his opinion that if the license is granted then the road will become like Plainfield Pike due to the number of trucks. G. King expressed his opinion opposing this application.

M. Lamontagne, resident, stated that the eastern boundary of his land is shared with the applicant's property. M. Lamontagne stated he has concerns as to the noise, dust and air quality and the impact if the large hill is taken down. M. Lamontagne stated that he had no issues with Adler Bros. but he does not know this company.

Councilor W. Worthy stated that plans were approved for Adler Bros. Co., to develop this property previously with all approvals received from Planning and DEM. S. Adler stated that the proposed plans are the same as what his company received permission to develop previously. Councilor W. Worthy stated that the plans are the same it is just the owner that has changed.

D. Folcarelli, resident, stated that he was on the Planning Board in 2017 when the project was approved for Adler Bros. Co. and that just because it is now a new owner does not mean it should be denied. D. Folcarelli stated J.R. Vinagro is going to do what Adlers was going to do in developing the property.

C. Wilson, resident, stated his concern that J. R. Vinagro would be courteous as they traveled through town as the Adlers Bros. Co., had always been.

Councilor W. Steere asked T. Kane if the amounts being removed from the site on a weekly or annual basis as stated in the narrative from the applicant were accurate. T. Kane stated the numbers were accurate to the best of his knowledge. T. Kane stated that site has full approval from DEM; that the Adlers assigned all development rights to J. R. Vinagro.

Councilor W. Worthy asked if anyone else would like to speak.

None

Councilor W. Worthy DECLARED the Public Hearing Closed

MOTION was made by Councilor S. Arnold to GRANT the Earth Removal License, for Applicant: J. R. Vinagro Corporation, Earth Removal Location: AP 14, Lots 18, 19, & 20 for a two year period ending November, 2025; applicant shall post a surety bond with the Town of Gloucester in the amount of \$10,000 and shall be responsible for all rules and regulations as described in Gloucester Code of Ordinance Chapter 166; seconded by Councilor J. Burlingame

Discussion: None

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

B. LICENSE RENEWALS

1. VICTUALING LICENSE RENEWALS- Discussion and/or action

- a. Aegean Pizza, 1195 Putnam Pike
- b. Assados Kitchen & Bar, 102 Putnam Pike
- c. Burrillville/Glocester Youth Soccer Association, 1407 Putnam Pike (Concession Stand)
- d. Cady's Tavern, 2168 Putnam Pike
- e. Chepachet Deli and Catering, 842 Putnam Pike
- f. Chepachet Farms, 226 Tourtellot Hill Road
- g. DePetrillo's Pizza & Bakery, 1153 Putnam Pike
- h. Dinos Park N Shop, 1020 Putnam Pike
- i. Dunkin Donuts, 1006 Putnam Pike
- j. Gentleman Farmer Restaurant, 617 Putnam Pike
- k. Gloucester Little League, 1011 Putnam Pike (Concession Stand)
- l. Harmony Corner Store, 365 Snake Hill Road
- m. Hill's Tavern and Grill, 417 Putnam Pike
- n. Mr. Z's By The Lake, 2400 Putnam Pike
- o. Knight Farm, Farmers Omelette, 1 Snake Hill Road
- p. Melody Hill Country Club, 55 Melody Hill Lane

- q. Pinewood Pub & Pizza, 16 Terry Lane
- r. Tavern on Main, 1157 Putnam Pike
- s. The Village Bean, 15 Money Hill Road
- t. Who Cut the Cheesecake, LLC, 1195 Putnam Pike

Councilor W. Worthy stated that this Public Hearing was advertised in the Valley Breeze Observer on October 26th, November 2nd, and November 9th, 2023.

Councilor W. Worthy DECLARED the Public Hearing OPEN

Councilor W. Worthy stated that anyone wishing to be heard for or against the renewal of any application to please step to the microphone and state your name for the record when called to speak.

Discussion: None

Councilor W. Worthy DECLARED the Public Hearing CLOSED.

MOTION was made by Councilor C. Greathouse to GRANT the RENEWAL of a Victualing License **to all applicants named above** contingent upon: 1) payment of all Town taxes; 2) Building/Zoning approval as needed; 3) Fire and/or Police approval as needed; 4) current Health Department approval; 5) current Food Manager Certificate; and 6) current Rhode Island Permit to Make Sales; these licenses shall be for the interior of the premise only and are valid from December 1, 2023 to November 30, 2024; seconded by; Councilor J. Burlingame

Discussion: None

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

- 2. **LIQUOR LICENSE RENEWALS- Discussion and/or action**
 - a. **CLASS A - RETAILER- Discussion and/or action**
 - 1. Christy's Liquors, Inc., Kevin J. Kitson, d/b/a Chepachet Village Wine & Spirits, 1116 Putnam Pike
 - 2. Kitson's Liquors, Inc., Lisa Kitson, d/b/a Kitson's Liquors, 677 Putnam Pike

Councilor W. Worthy stated that this Public Hearing was advertised in the Providence Journal Legal Ads on October 26th , & November 2nd , 2023

Councilor W. Worthy DECLARED the Public Hearing OPEN.

Councilor W. Worthy asked if anyone wished to speak regarding these license renewals.

Discussion: None

Councilor W. Worthy DECLARED the Public Hearing CLOSED.

MOTION was made by Councilor C. Greathouse to GRANT the RENEWAL of a Class A - Retailer Liquor License to:

1. Christy's Liquors, Inc., Kevin J. Kitson, d/b/a Chepachet Village Wine & Spirits, 1116 Putnam Pike
2. Kitson's Liquors, Inc., Lisa Kitson, d/b/a Kitson's Liquors, 677 Putnam Pike

contingent upon: 1) payment of all Town taxes; 2) Building/Zoning approval as needed; 3) Fire and/or Police approval as needed; 4) current Rhode Island Certificate of Good Standing; 5) current Alcohol Service Certification for all employees; 6) current Rhode Island Permit to Make Sales; 7) Per R.I.G.L., a Certificate of commercial, general-liability and property damage insurance for a minimum amount of \$300,000. These licenses shall be for the interior of the premises only and are valid from December 1, 2023 to November 30, 2024; seconded by; Councilor J. Burlingame

Discussion: None

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

b. CLASS B-V VICTUALER BEVERAGE LICENSE - Discussion and/or action

1. Assados, Inc., Jorge Diogo, Ryan Diogo, d/b/a Assados Kitchen & Bar, 102 Putnam Pike
2. Tri State Golf, LLC, Jonathan Hoenig, Donald

Hoenig, d/b/a Melody Hill Country Club, 55 Melody Hill Lane

3. Agios, Inc., Panagiota Arsoniadis, d/b/a Gentleman Farmer Restaurant, 617 Putnam Pike
4. Prickly Pear, Inc., William J. Kapanakis, d/b/a Pinewood Pub & Pizza, 16 Terry Lane, Units #9-13
5. Tyo Ristaino, Corp., Stephen & Robin Tyo & Robert Ristaino, d/b/a Cadys Tavern, 2168 Putnam Pike
6. Hill's Tavern and Grill, LLC, Albert L. Hill, Sr., d/b/a Hill's Tavern and Grill, 417 Putnam Pike
7. RAJNI, LLC, Balwinder Singh, d/b/a Mr. Z's By The Lake, 2400 Putnam Pike

Councilor W. Worthy stated that this public hearing was advertised in the Providence Journal Legal Ads on October 26th & November 2nd, 2023.

Councilor W. Worthy DECLARED the Public Hearing OPEN.

Councilor W. Worthy stated that anyone wishing to speak for or against the renewal of these licenses may come forward and state their name when called upon.

Discussion: None

Councilor W. Worthy DECLARED the Public Hearing Closed

MOTION was made by Councilor C. Greathouse to GRANT the Renewal of a Class B-V Victualer Beverage License to **all applicants named above**, contingent upon:

1) Issuance of a valid Victualing License; 2) payment of all Town taxes; 3) Building/Zoning approval as needed; 4) Fire and/or Police approval as needed; 5) current Rhode Island Certificate of Good Standing, 6) current Rhode Island Permit to Make Sales, 7) current Alcohol Service Certification for all employees, 8) copy of current menu, 9) Per R.I.G.L. a Certificate of commercial, general-liability and property damage insurance for a minimum amount of \$300,000; these licenses shall be for the **interior of the premise only with the exception of:**

- a. Assados, Inc., Jorge Diogo, Ryan Diogo, d/b/a Assados Kitchen & Bar, 102 Putnam Pike
- d. Prickly Pear, Inc., William J. Kapanakis, d/b/a Pinewood Pub &

- Pizza, 16 Terry Lane, Units #9-13
- e. Tyo Ristaino, Corp., Stephen & Robin Tyo & Robert Ristaino, d/b/a Cadys Tavern, 2168 Putnam Pike
- f. Hill's Tavern and Grill, LLC, Albert L. Hill, Sr., d/b/a Hill's Tavern and Grill, 417 Putnam Pike

Stipulations of any outdoor consumption, service, and/or sales remain as previously granted;

these licenses are valid from December 1, 2023 to November 30, 2024; seconded by Councilor J. Burlingame

Discussion: None

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

c. CLASS BT-TAVERN- Discussion and/or action

- 1. DLUM, LLC, David Lumnah, d/b/a Tavern on Main, 1157 Putnam Pike

Councilor W. Worthy stated that this Public Hearing was advertised in the Providence Journal Legal Ads on October 26th, & November 2nd, 2023

Councilor W. Worthy DECLARED the Public Hearing OPEN.

Councilor W. Worthy asked if anyone wished to speak regarding this license renewal.

Discussion: None

Councilor W. Worthy DECLARED the Public Hearing CLOSED.

Discussion: None

MOTION was made by Councilor C. Greathouse to GRANT the RENEWAL of a Class BT-Tavern License to: DLUM , LLC, David Lumnah, d/b/a Tavern on Main, 1157 Putnam Pike contingent upon: 1) Issuance of a valid Victualing License; 2) payment of all Town taxes; 3) Building/Zoning approval as needed; 4)

Fire and/or Police approval as needed; 5) current Rhode Island Certificate of Good Standing, 6) current Rhode Island Permit to Make Sales, 7) current Alcohol Service Certification cards for all employees, 8) copy of current menu, 9) Per R.I.G.L., a Certificate of commercial, general-liability and property damage insurance for a minimum amount of \$300,000; this license shall be for the interior of the premise only and is valid from December 1, 2023 to November 30, 2024; seconded by Councilor J. Burlingame

Discussion: None

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

3. ENTERTAINMENT LICENSE RENEWALS - Discussion and/or action

- a. Assados, Inc., d/b/a Assados Kitchen & Bar, 102 Putnam Pike
- b. Prickly Pear, Inc., d/b/a Pinewood Pub & Pizza, 16 Terry Lane, Units #9-13
- c. Tyo Ristaino Corp., d/b/a Cady's Tavern 2168 Putnam Pike
- d. Hill's Tavern and Grill, LLC, d/b/a Hill's Tavern and Grill, 417 Putnam Pike
- e. RAJNI, LLC, d/b/a Mr. Z's By The Lake, 2400 Putnam Pike

Councilor W. Worthy stated that this Public Hearing was advertised in the Valley Breeze/Observer on October 26th, 2023

Councilor W. Worthy DECLARED the Public Hearing OPEN

Councilor W. Worthy asked if anyone wished to speak regarding the license renewals.

Discussion: None

Councilor W. Worthy DECLARED the Public Hearing CLOSED.

MOTION was made by Councilor C. Greathouse to GRANT the RENEWAL of an

Entertainment License to **all applicants named above**: contingent upon 1) Payment of all Town taxes; 2) Building/Zoning approval as needed; 3) Fire and/or Police approval as needed; these licenses are valid from December 1, 2023 to November 30, 2024 and are subject to the following stipulations:

1. That all entertainment be confined to the inside of the building except for those establishments in stipulation #5.
2. That all windows on the premises are kept closed when there is amplified entertainment, but not permanently, and that doors are only opened for normal ingress and egress from the premises.
3. That all live indoor entertainment cease at 1:00 a.m.
4. When there is live entertainment, the Town Council, at its discretion, may assign a supplemental police officer or officers at such time and in such a place as the Town Council deems appropriate and the license holder shall reimburse the Town of Gloucester for the expense of such police officer(s):
5. Establishments with current outdoor service areas, for alcohol, may have non amplified acoustical music and non amplified vocals, ceasing at 9:00 p.m. This use shall be rescinded upon determination by the licensing board with no further public hearing.
6. Any other reasonable conditions and restrictions as the Town Council may require; seconded by Councilor J. Burlingame

Discussion: None

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

C. NEW LIQUOR LICENSES

1. CLASS B-V LIMITED- Discussion and/or action

Councilor W. Worthy stated that these establishments did not complete their licenses from the last approval. Councilor W. Worthy stated that per the state liquor regulations they have one year to complete requirements. Councilor W. Worthy stated that the deadline was missed, therefore, these establishments are re-applying as new applicants.

- a. Knight Farm, LLC, Joseph Iacofano, d/b/a Knight Farm, Farmers Omelette, 1 Snake Hill Road

Councilor W. Worthy stated that this Public Hearing was advertised in the Providence Journal Legal Ads on October 26th, & November 2nd, 2023

Councilor W. Worthy DECLARED the Public Hearing OPEN.

Discussion: Councilor W. Worthy stated that the Clerk is asking the Council to **CONTINUE** the Public Hearing for Knight Farm, LLC in order to give Mr. Iaciofano , the applicant, more time to notify abutters. Councilor W. Worthy stated that the Clerk's Office is working with Mr. Iaciofano.

D. Igliazzi, Town Solicitor, recommended that the matter be continued to a date certain in order to not have to advertise again .

MOTION was made by Councilor W. Steere to CONTINUE the PUBLIC HEARING for applicant Knight Farm, LLC, Joseph Iaciofano, d/b/a Knight Farm, Farmers Omelette, 1 Snake Hill Road for a CLASS B-V LIMITED License to the Town Council meeting of March 21, 2024; seconded by Councilor J. Burlingame

Discussion: None

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

- b. M & B Variety, Inc., Brian Rea, Michelle Rea, d/b/a Harmony Corner Store, 365 Snake Hill Road

Councilor W. Worthy stated that this Public Hearing was advertised in the Providence Journal Legal Ads on October 26th, & November 2nd, 2023 and notice was sent to abutters.

Councilor W. Worthy DECLARED the Public Hearing OPEN.

Councilor W. Worthy asked if anyone wished to speak regarding this license application.

Discussion: None

Councilor W. Worthy DECLARED the Public Hearing CLOSED

MOTION was made by Councilor C. Greathouse to GRANT a Class B-V Limited License to; M & B Variety, Inc., Brian Rea, Michelle Rea, d/b/a Harmony Corner Store, 365 Snake Hill Road contingent upon: 1) Issuance of a valid Victualing License; 2) payment of all Town taxes; 3) Building/Zoning approval as needed; 4) Fire and/or Police approval as needed; 5) current Rhode Island Certificate of Good Standing; 6) current Rhode Island Permit to Make Sales; 7) current Alcohol Service Certification cards for all employees, 8) copy of current menu, 9) Per R.I.G.L., a Certificate of commercial, general-liability and property damage insurance for a minimum amount of \$300,000, 10) current Rhode Island B.C.I. check; this license shall be for the interior of the premise only and is valid from December 1, 2023 to November 30, 2024; seconded by Councilor J. Burlingame

Discussion: None

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

D. NEW ENTERTAINMENT LICENSE

1. Mulberry Vineyards, 95 Pound Road - Discussion and/or Action
Councilor W. Worthy stated that this application is for a new indoor entertainment license.

Councilor W. Worthy stated that this Public Hearing was advertised in the Valley Breeze on October 26th, 2023 and notice was send to abutters.

Councilor W. Worthy DECLARED the Public Hearing OPEN

Councilor W. Worthy asked if anyone wishing to speak must state their name for the record when called to the microphone.

Discussion:

K. Lavoie, resident, stated his opinion that if this license was granted the winery would become a bar just like others in town that have been granted entertainment licenses. K. Lavoie stated his opinion that this type of license is way out of line for the type of use as a winery when compared to other town establishments that have an entertainment license because they are bars.

R. Rogers, resident, stated it is unclear as to what Mulberry Vineyard intends to do without an explanation from the applicant.

D. Colantonio, resident, stated that he has spoken many times before the Council as to Mulberry Vineyards. D. Colantonio stated that the winery is becoming a bar in their residential neighborhood. D. Colantonio stated this property is zoned residential agricultural and not commercial. D. Colantonio requested the Council deny the application.

D. Wright, applicant, stated that the application is for an entertainment license to be able to have music indoors. D. Wright stated that the special use permit for events last year does not allow for moving the day around. D. Wright stated the summer last year was exceptionally rainy. D. Wright stated that the outdoor musicians can't be moved indoors unless he has an entertainment license. D. Wright stated that there is not room for a big band and the musicians would be an acoustic guitar. D. Wright stated the winery is open only on Saturdays and Sundays and that they are in compliance with fire and police.

Councilor S. Arnold asked if a special event license could preclude the musicians from being moved inside. D. Igliazzi stated that Council has the authority to stipulate that a special event license could be inside or outside. J. Fecteau, Town Clerk, stated Special Event licenses granted to businesses are for the outside of the establishment.

E. Gendron, resident, questioned why a large barn was built on the premises. Councilor W. Worthy stated that it was built for dry storage. E. Gendron questioned that reasoning that there are no grapes being grown on the property. E. Gendron stated his opinion that the applicant was trying to get his foot in the door for an entertainment license by building the barn first. E. Gendron complained of the noise and traffic.

D. Wright stated that they did build a large barn this year with a footprint of 60' by 48' and it will be used for dry storage and farm equipment. Councilor J. Burlingame asked if D. Wright had applied for a zone change. D. Wright stated that the winery is zoned properly in the A4 zone. D. Wright stated that the winery helps generate revenue for the town when people visit the winery they also visit downtown. D. Wright stated that the farm winery license was developed to be an economic driver for domestic vineyards.

D. Wright stated that he has made a lot of accommodations over the last few years including improving the parking lot to now hold about 209 cars; hiring staff for security and moving the stage.

Councilor J. Burlingame asked again if D. Wright has applied for a zone change to commercial as D. Wright is developing a larger business in a residentially zoned area.

D. Wright stated that he is applying for the entertainment license to be able to get insurance coverage.

Councilor C. Greathouse asked where D. Wright would move people to if there was inclement weather. D. Wright stated he would move them to the tasting room which is about 40' by 40'. Councilor C. Greathouse asked D. Wright if he intended to use the barn for entertainment. D. Wright stated not at this time. Councilor C. Greathouse stated that the permit for the barn is for storage so it can't be used for entertainment. D. Wright stated how he would limit the number of people who would be allowed in the tasting room in case the event had to be moved inside from outside.

D. Igliazzi stated he wanted to clarify that the entertainment license is a separate entity from the special event license. D. Igliazzi stated that the entertainment license is for indoor events and the special use permit is for outdoor events.

R. Bezo (sp?) resident, stated his concerns about D. Wright's comment that he would not be using the large barn at this time for events. R. Bezo stated his concern of the noise and traffic if larger events are allowed. R. Bezo stated that applicants are wonderful people but they are in the wrong zone .

Councilor W. Steere stated that all establishments with an entertainment license have limits as to the number of people allowed by the fire department.

R. Rogers, resident, asked if there were any limitations on this application as they have not been specified and feels there should be limits.

A. Ferreira, resident, stated she can understand the concerns of the neighbors that have spoken but can also see the other side of a small business trying to succeed. A. Ferreira stated that the applicants are good people and involved in the community . A. Ferreira stated that she hopes Council pays attention to the facts and not just the assumptions. A. Ferreira stated that there are other establishments in town that are in

residential areas that are zoned commercial and open till 1:00 a.m. so it seems unfair to allow those and not this one.

R. Pitassi, resident, asked about time limits and to exclude the use of the new barn.

B. MacArthur, resident, stated that granting this entertainment license would allow applicants to move the entertainment inside if the weather was inclement as opposed to having to cancel the event as they did last year due to a rainy summer.

Councilor W. Steere stated that the small building will hold about 30-40 people and not hundreds. Councilor W. Steere stated that Council can set parameters as to the license. Councilor W. Steere asked D. Wright if the current tasting room would have an acoustic guitar for entertainment. D. Wright stated it would.

Councilor W. Worthy asked if the winery had a certificate of occupancy from the fire department and asked the number of people allowed. D. Wright stated that the fire department had come in and that he had a certificate but he does not recall the number. J. Fecteau stated that the certificate is supposed to be posted.

D. Colantonio stated that he is basing his comments on fact and not on assumptions. D. Colantonio stated that the applicant does not grow grapes, brings in wine from out of state, sells beer, and questioned the type of license. Councilor W. Worthy stated that the applicant's license is from the state so complaints should be made to the Department of Business Regulation. Councilor W. Steere stated that the topic is about the granting of an entertainment license. D. Colantonio stated for the Council to not grant the entertainment license.

Councilor W. Worthy asked if anyone else wished to speak.

Councilor W. Worthy DECLARED the PUBLIC HEARING CLOSED.

Discussion:

Councilor S. Arnold stated he is a fan of the venue and supports the business but that he is having a hard time with this proposed entertainment license in a residential neighborhood.

Councilor J. Burlingame stated his agreement with Councilor S. Arnold. Councilor

J. Burlingame stated that the property is not zoned commercial and feels the applicant should apply to the zoning board for a change in designation to commercial.

Councilor C. Greathouse stated she is in favor of not granting this license because it is not appropriate for the residential area.

Councilor W. Steere stated the entertainment license would allow an acoustic guitar player inside the current tasting room.

MOTION was made by Councilor W. Steere to GRANT an Entertainment License to Mulberry Vineyards, 95 Pound Road, contingent upon: 1) Payment of all Town taxes; 2) Building/Zoning approval as needed; 3) Fire and/or Police approval as needed; this license is valid from December 1, 2023 to November 30, 2024 and is subject to the following stipulations:

1. That all entertainment be confined to the inside of the tasting room of the current 40 by 40 building.
2. That all windows on the premises are kept closed when there is amplified entertainment, but not permanently, and that doors are only opened for normal ingress and egress from the premises.
3. That all live indoor entertainment be within the normal business hours on Saturday and Sunday between 12:00 p.m. and 4:00 p.m. so cease at 4:00 p.m.
4. When there is live entertainment, the Town Council, at its discretion, may assign a supplemental police officer or officers at such time and in such a place as the Town Council deems appropriate and the license holder shall reimburse the Town of Gloucester for the expense of such police officer(s):
5. Any other reasonable conditions and restrictions as the Town Council may require; seconded by

No second was made to the motion

MOTION FAILED

MOTION was made by Councilor J. Burlingame to DENY the application for an Entertainment License for applicant Mulberry Vineyards; seconded by Councilor C. Greathouse;

Discussion: None

VOTE:

Councilor C. Greathouse- Aye
Councilor J. Burlingame- Aye
Councilor W. Steere- Nay
Councilor S. Arnold - Aye
Councilor W . Worthy-Aye

MOTION PASSED

E. SPECIAL EVENT LICENSES- Requests for 2024 Outdoor Special Events - Discussion and/or Action

1. Robin Tyo, Tyo Ristaino Corp d/b/a Cady's Tavern
Location: 2168 Putnam Pike, Glocester, RI
Request for 2024 Outdoor Special Events

Councilor W. Worthy stated that this Public Hearing was advertised in the Valley Breeze/Observer on Nov. 2, 2023.

Councilor W. Worthy DECLARED the Public Hearing OPEN

Councilor W. Worthy stated that the applicant is requesting:

12 Motorcycle runs
18 Fundraisers
18 Car/bike shows
12 Outside acoustic (amplified vocals & guitar)
(60 events)

Councilor W. Worthy stated that last year's request was for 30 events, 30 events were granted, and in 2023 the Clerk issued 6 licenses

Councilor W. Worthy stated that anyone wishing to speak step to the microphone and state your name when called on to speak.

Discussion:

Councilor J. Burlingame stated that 30 events were requested for the current year and only 6 were issued.

J. Fecteau stated that her office issued 6 licenses. Councilor S. Arnold asked R. Tyo, applicant , why she was doubling her request from last year. R. Tyo stated that a lot of events were canceled last year; that one event can and has included 3 separate

licenses; and, that another establishment was granted permission to do weekly car shows which she has been trying to do for years. R. Tyo explained that one event could include licenses for a fundraiser, a car/bike show and outdoor acoustic.

Councilor W. Worthy asked if R. Tyo had started planning out her events. R. Tyo stated she has not as it depends upon what is granted tonight.

Councilor W. Steere stated that the applicant is in a residential area but R. Tyo has worked well with the neighbors. Councilor W. Steere did ask about the noise from the motor cycle runs as they can be loud. R. Tyo stated that a lot of motorcycles come to her establishment every Saturday and Sunday. R. Tyo states that she recognizes the noise to the neighbors so she compromises by not having outdoor entertainment.

Councilor S. Arnold stated he wanted to tip his hat to R. Tyo for all the work she has done with the neighbors needs in mind.

Councilor W. Worthy asked if anyone else wished to speak.

Councilor W. Worthy DECLARED the Public Hearing CLOSED.

Discussion:

Councilor J. Burlingame stated his opinion that R. Tyo only used about 20 % of the events granted so he feels 12 to 15 events is okay. Councilor W. Steere stated that 60 events is a lot of events and stated he likes 30 events. R. Tyo stated that one reason for the increase in requests is for the weekly show. Councilor W. Steere stated his concern as to the noise to the neighbors if there is a weekly show. R. Tyo stated that she was granted a monthly car show two years ago but that was not enough to gain ground. Councilor W. Steere stated that Council needs to think about safety and security in town when considering the granting of licenses. Councilor S. Arnold asked when the car shows would be and R. Tyo answered that she has not gotten that far. R. Tyo stated that outdoor music would still be every other weekend when asked by Councilor S. Arnold.

MOTION was made by Councilor J. Burlingame to Grant the Special Events for 2024 for Cady's Tavern, location of business: 2168 Putnam Pike:

12 Motorcycle runs
10 Fundraisers

- 12 Car/bike shows with no amplified music
- 12 Outside acoustic (amplified vocals & guitar)

for a total of 46 Special Events, individually licensed, with the following stipulations:

1. The filing of an application 6 business days prior to each event.
2. Crowd management and parking plan filed with each application.
3. No on-street parking allowed on Route 44.
4. The approval of the Chief of Police and the Fire Chief.
5. This approval may be rescinded by the Town Council for just cause.
6. Alcohol is only allowed in previously approved areas.
7. Compliance with the Special Event Ordinance.
8. Outdoor amplified music is allowed two times per month from May to October, on non consecutive weekends and non consecutive days for a total of twelve events limited between 2:00 P.M. and 7:00 P.M.
9. Any use outside that consists of amplification of music or entertainment, shall be considered a special event requiring a license, and shall count against the total number granted.

Seconded by Councilor S. Arnold

Discussion: None

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

2. Albert Hill Sr., Hill's Tavern and Grill, LLC d/b/a Hill's Tavern and Grill
Location: 417 Putnam Pike, Glocester, RI
Request for 2024 Outdoor Special Events

Councilor W. Worthy stated that this Public Hearing was advertised in the Valley Breeze/Observer on Nov. 2, 2023.

Councilor W. Worthy DECLARED the Public Hearing OPEN.

Councilor W. Worthy stated that the applicant is requesting:
8 Motorcycle runs

10 Fundraisers
12 Car shows
16 Outside music
(46 events)

Councilor W. Worthy stated that last year's request was for 54 events, 32 events were granted, and in 2023 the Clerk issued 16 licenses

Councilor W. Worthy stated that anyone wishing to speak step to the microphone and state their name when called on to speak.

Discussion:
None

Councilor W. Worthy DECLARED the Public Hearing CLOSED.

Discussion: Councilor W. Steere stated that in light of recent events he would suggest granting the same number of events as granted last year. Councilor J. Burlingame and Councilor S. Arnold both stated their agreement with Councilor W. Steere. Councilor W. Steere asked A. Hill, applicant, as to how he would like the numbers. A. Hill stated he would like all 16 music events but agreed to 12 as well as 12 car shows which leaves an even split of 4 each for the others.

MOTION was made by Councilor J. Burlingame to GRANT the Special Events for 2024 for Hill's Tavern, location of business: 417 Putnam Pike:

4 Motorcycle Runs
12 Car shows
4 Fundraisers
12 music

for a total of 30 (**clarified to 32 events in second of motion**) Special Events, individually licensed allowed, with the following stipulations:

1. The filing of an application 6 business days prior to each event.
2. Crowd management and parking plan filed with each application.
3. No on-street parking allowed on Route 44.
4. The approval of the Chief of Police and the Fire Chief.

5. This approval may be rescinded by the Town Council for just cause.
6. Alcohol is only allowed in previously approved areas.
7. Compliance with the Special Event Ordinance.
8. Outdoor amplified music is allowed two times per month from May to October, on non consecutive weekends and non consecutive days for a total of twelve events limited between 2:00 P.M. and 7:00 P.M.
9. Any use outside that consist of amplification of music or entertainment, shall be considered a special event requiring a license, and shall count against the total number granted.

Seconded by Councilor W. Steere who clarified that the math adds up to 32 events not 30

Discussion:

Councilor S. Arnold stated the numbers for the events were correct just the addition was incorrect.

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

3. David Wright d/b/a Mulberry Vineyards
Location: 95 Pound Road, Glocester, RI
Request for 2024 Outdoor Special Events

Councilor W. Worthy stated that this Public Hearing was advertised in the Valley Breeze/Observer on Nov. 2, 2023.

Councilor W. Worthy DECLARED the Public Hearing OPEN

Councilor W. Worthy stated that the applicant is requesting:

- 14 live music events
- 8 farmers markets
- 10 weddings with music
- 5 festivals - no music

(37 events)

Councilor W. Worthy stated that last year's request was for 29 events, 19 events were granted, and in 2023 the Clerk issued 8 licenses

Councilor W. Worthy stated that anyone wishing to speak step to the microphone and state their name when called on to speak.

Discussion:

D. Wright, applicant, stated that the vineyard did not use the licenses last year due to construction of the barn. Councilor W. Worthy asked if D. Wright used the 8 licenses stated D. Wright stated in the affirmative. Councilor J. Burlingame asked if the 8 licenses used last year were all live music. D. Wright stated yes.

R. Rogers, resident, asked for a clarification as to the number and kind of events requested. Councilor W. Worthy stated the requested numbers. R. Rogers asked what the festivals would be. R. Rogers stated that applicant was denied weddings last year. R. Rogers stated the winery was not a place for weddings as they run late and there is no place to fit a large crowd.

D. Wright stated that the winery is designated as agricultural open space and that the neighbors are designated residential. D. Wright stated he would like to read the legislative findings and read as follows (no source stated) : “ The General Assembly finds that the agricultural operations are valuable to the State's economy and the general welfare of the State's people. The agricultural operations are adversely effected by random encroachments of urban land use throughout rural areas of the state.” (No source cited)

D. Wright stated that there is always going to be conflict as residential houses move next to a farm. D. Wright stated that agri-tourism is the way farms stay in business. D. Wright stated that he received many calls from farmers after the Council voted against weddings (July) at the vineyard. D. Wright stated that a petition was started requesting Mulberry Vineyards be allowed to host weddings. D. Wright stated he would like to have a couple of weddings. D. Wright stated that the various events including weddings is how he will be able to stay in business.

Councilor W. Worthy asked if D. Wright just sold wine would he remain in business. D. Wright stated no.

K. Lavoie, resident, stated that nothing is being grown at the winery and the applicant is turning the winery into an event venue. K. Lavoie stated that the scale and scope

of the application shows disrespect to the Council and to the neighbors based on past decisions of the Council. K. Lavoie stated that having a winery does not come with permission to have events. K. Lavoie stated that the town is not obligated to allow events and these event can only be granted by Council. K. Lavoie stated that the new barn is a beautiful building and that the building permit states it is to be used for dry storage and farm equipment. K. Lavoie states that he does not believe the barn will be used for dry storage in the future especially as it also has plumbing.

D. Colantonio, stated his opinion that the applicant is trying to have an event venue in a residential neighborhood and asked Council to deny the application . D. Colantonio also stated his opinion that the barn will not be used for storage.

D. Wright, stated that the barn is to be used for storage and that there is still a lot to do in preparing the land for grapes. D. Wright stated the storage is important once the grapes are grown. D. Wright stated that the Department of Business Regulation visited the winery and found no violations. Mr. Wright stated the state offered him additional licenses. D. Wright read the approval he received from Council in 2006 which included the ability to hold farmers markets and other wine tasting events as well as harvest festivals, weddings holiday events. D. Wright stated that he has been in business for 10 years and has been given permission for one wedding. D. Wright stated he is working to do agri-tourism and if can't then he may have to sell the property. D. Wright stated that he wants to keep Gloucester rural but if he keeps getting a no from Council then Council is actually voting for development. Mr. Wright stated what he believed were "massive" set backs from his neighbors.

Councilor W. Worthy asked if anyone else wished to speak.

Councilor W. Worthy CLOSED the Public Hearing.

Discussion:

Councilor W. Worthy stated that a lot has been stated and the proper people will have to look into issues such as plumbing in the new structure or matters pending with state Business Regulations. Councilor Worthy stated everyone is not going to be happy here. Councilor Worthy stated, in his opinion, that this matter should be resolved in zoning and not by Council as he feels it is not zoned properly. Councilor W. Worthy stated that the Council did not grant the authority that D. Wright stated occurred in 2012 but rather it was the Planning Board. Councilor Worthy again recommended the owner start over with Planning and Zoning.

MOTION was made by Councilor C. Greathouse to NOT ALLOW any live music events at this venue ;

Discussion: Councilor Greathouse stated there are other events proposed that are conducive. Councilor J. Burlingame stated that he feels there have not been complaints about live music recently. Councilor W. Worthy stated there is a motion generating and asked Councilor Greathouse to elaborate.

Councilor C. Greathouse stated that her motion is based on zoning and the property is a vineyard for agriculture and residential and until the zoning issue comes before the Council and the zoning gets changed she does not think live music is conducive to the agricultural and residential zoning.

Councilor W. Worthy asked for a second

No Second

MOTION FAILS

Discussion: Councilor J. Burlingame stated that he does not like that the vineyard is in a residential area but also feels they are trying. Councilor J. Burlingame stated that he would be inclined to grant the vineyard the same events as last year but no weddings. Councilor J. Burlingame stated he feels applicants should go to zoning and try to get the zone changed. Councilor S. Arnold stated he agrees with Councilor J. Burlingame. Councilor Arnold feels that weddings do not fall in the same category as festivals and other allowed uses.

Councilor W. Steere asked the months that applicant had live music. D. Wright stated that there were 8 events between May and the end of October. D. Wright confirmed that the events were held on weekends from 1:00 to 4:00 p.m. from May to October in response to Councilor C. Greathouse's question.

MOTION was made by Councilor S. Arnold to GRANT the Special Events for 2024 for Mulberry Vineyards, location of business: 95 Pound Road:

for a total of 25 Special Events to include:

- 12 live music events - Saturday/Sunday 1:00 p.m. to 4:00 p.m
- 8 Farmers Markets - 2 per month, July - October
- 5 Festivals with no music

with the following stipulations:

1. The filing of an application 6 business days prior to each event.
2. Crowd management and parking plan filed with each application.

3. No on-street parking allowed on Pound Road.
4. The approval of the Chief of Police and the Fire Chief.
5. This approval may be rescinded by the Town Council for just cause.
6. Compliance with the Special Event Ordinance.
7. Any use outside that consist of amplification of music or entertainment, shall be considered a special event requiring a license, and shall count against the total number granted.
8. Events to be held on non consecutive weekends

Discussion: Councilor W. Steere asked if the motion should include that the events are on non consecutive weekends. Councilor S. Arnold stated that was his intention so number 8 was added. Councilor J. Burlingame stated that he would like the same number of events as last year and to not increase the number. Councilor C. Greathouse stated she would like 8, 5, 6 in that order.

Councilor W. Worthy asked if there was a second.

Seconded by Councilor W. Steere

Discussion: None

VOTE:

Councilor C. Greathouse- Nay
 Councilor J. Burlingame- Nay
 Councilor W. Steere- Aye
 Councilor S. Arnold - Aye
 Councilor W . Worthy- Nay

MOTION FAILS

Discussion: Councilor J. Burlingame stated he would be in favor of granting what was granted last year which was 8 live events, 3 festivals, and 8 farmers markets.

MOTION was made by Councilor J. Burlingame to GRANT the Special Events for 2024 for Mulberry Vineyards, location of business: 95 Pound Road:

for a total of 19 Special Events to include:

- 8 live music events - Saturday/Sunday 1:00 p.m. to 4:00 p.m
- 8 Farmers Markets - 2 per month, July - October
- 3 Festivals with no music

with the following stipulations:

1. The filing of an application 6 business days prior to each event.
2. Crowd management and parking plan filed with each application.
3. No on-street parking allowed on Pound Road.
4. The approval of the Chief of Police and the Fire Chief.
5. This approval may be rescinded by the Town Council for just cause.
6. Compliance with the Special Event Ordinance.
7. Any use outside that consist of amplification of music or entertainment, shall be considered a special event requiring a license, and shall count against the total number granted.

Discussion: D. Igliazzi asked if the motion included the addition of the live music to be on non consecutive days and weekends. Councilor J. Burlingame stated that is not part of his motion. Councilor W. Steere stated that would mean applicant can have many events back to back. Councilor W. Steere stated that the license last year included the stipulation that the live events not be on consecutive days or weekends. D. Igliazzi explained that last year the motion included the language of non consecutive days and weekends.

Councilor J. Burlingame stated to add the stipulation of live music on non consecutive days and weekends to the motion.

8. Live music on non consecutive days and weekends.

Councilor W. Worthy asked for a second.

Seconded by Councilor C. Greathouse

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

Councilor W. Worthy asked D. Wright to make sure all building permits were clear.

VII. Consent Items - Discussion and/or Action

- A. Approval of Town Council Minutes: Regular meeting of November 2, 2023
- B. Tax Assessor's Additions and Abatements - October 2023
- C. Finance Director's Report - October 2023

MOTION was made by Councilor S. Arnold to APPROVE the Town Council minutes of November 2, 2023; to APPROVE the Tax Assessor's Additions to the 2023 Tax

Roll in the amount of \$1,154.30; the 2022 Tax Roll in the amount of \$175.69; the 2021 Tax Roll in the amount of \$137.34; the 2020 Tax Roll in the amount of \$171.27; the 2019 Tax Roll in the amount of \$192.14; the 2018 Tax Roll in the amount of \$188.00; the 2017 Tax Roll in the amount of \$185.46; Abatements to the 2023 Tax Roll in the amount of \$11,114.78 and to ACCEPT the Finance Director' Report of October 2023; seconded by Councilor J. Burlingame

Discussion: None

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

VIII. Unfinished Business

A. Boards and Commissions

1. Appointments- Terms to run concurrent with the Town Council-
Discussion and /or Action
 - a. Affordable Housing Advisory Board- two year term to
expire 12/2024- 4 positions

Councilor W. Worthy stated that the Town Council may appoint from the Talent Bank listing in their packet or table the appointments.

MOTION was made by Councilor S. Arnold to TABLE the appointments to the Affordable Housing Advisory Board; Positions 2, 3,4 and 5; seconded by Councilor W. Steere

Discussion: None

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

IX. New Business

A. Authorization of Signature

1. C&M Agreement regarding the Slope Stabilization at Martin Lot
Cemetery project - Discussion and/or Action

Councilor W. Worthy stated that Council has received a request from DOT to sign an agreement regarding the repair to the slope abutting Route 44 referred to as the Martin Lot Cemetery Project. Councilor W. Worthy stated that the project plan has been reviewed by the DPW Director and his office has approved the agreement.

MOTION was made by Councilor J. Burlingame to AUTHORIZE the Town Council President to sign the C&M Agreement regarding the Slope Stabilization at Martin Lot Cemetery, R.I. Construction Contract No.: 2022-CB-015, to be dated November 16, 2023; seconded by Councilor W. Steere

Discussion: Councilor W. Steere stated his concern that the town will be taking on more responsibility and expense . Councilor J. Burlingame stated the DPW director is okay with ths matter. Councilor S. Arnold stated that he had a chance to speak with G. Treml, DPW Director , and G. Treml stated he was okay with this matter.

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

2. Municipal Transparency Report - 12/31/2023 - Discussion and/or Action

Councilor W. Worthy stated that Council has received the Municipal Transparency Report for FY24 from the Finance Director for signature.

Discussion: None

MOTION was made by Councilor S. Arnold to AUTHORIZE the Town Council President to approve & sign the FY24 Municipal Transparency Report entitled “Adopted Budget Survey/5 Year Forecast FY2024” for the R.I. Department of Revenue, Division of Municipal Finance, seconded by Councilor W. Steere

Discussion: None

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

B. Discussion and/or Action - Regional School fees for use of recreational facilities

Discussion: Councilor W. Steere stated that R. Shields, Recreation Director, informed the Council that the Regional School district has been charging the Recreation Department for use of the building for adult basketball and adult volleyball. R. Shields stated that the Region modified their facility use form last spring to include all entities using the building pay a rental fee and a custodial fee for each use. R. Shields stated that he requested the fees be exempted but the Region only exempted the town youth programs. R. Shields stated that the town adult programs were exempted from only the rental fee. R. Shields has been paying the \$75.00 per use fee

for the adult programs out of the Recreation Department budget. R. Shields stated his opinion that the Region doesn't seem to understand that the town and the Region are not separate entities especially as the Region also uses the town facilities for middle school baseball without charge.

Councilor J. Burlingame stated he spoke with two members of the Regional School Comm., P Henry and M. Rizzo, and that they stated that the committee will revisit this issue.

Councilor W. Steere stated that he has an issue with the Region charging the people who pay the bills for the use of the facilities they are paying for. Councilor W. Steere stated that the adult basketball program has used the facilities for 50 years without any issue. Councilor W. Steere also stated that the youth basketball programs are not town programs.

R. Shields stated that the Ponaganset Basketball Association (PBA) also had to go to the Region and request an exemption of the use fees .

Councilor W. Steere stated that he has drafted a letter to the Region which he read into the record as follows:

“ To : The Honorable Foster/Glocester Regional School Committee

It has come to the Glocester Town Council's attention that our town Recreation Programs are incurring fees for the use of the facilities at the high school particularly adult volleyball and adult basketball programs.

We appreciate that some fees may have already been waived for these programs; however, we are concerned that our residents are participating in a town sponsored recreational activity and are paying any fees for a use of facility that is currently funded through their tax dollars. For instance, adult basketball has been using the facilities for at least 50 years and have not incurred such fees.

We would appreciate an explanation of the reasoning behind the decision and ask if the charging of the fees for the town recreation programs can and will be reconsidered. “ (End of memo)

Councilor W. Steere stated he hopes the Region will reconsider and is of the opinion that the custodians are at the building until 1:00 a.m. anyway and that it is only the floor that needs sweeping.

R. Shields stated that he understood the custodial fee if the town were making a mess beyond the usual cleaning routine . Councilor w. Steere stated again that he hopes the Region reconsiders the fee and, if not, the town may need to also consider charging for use. R. Shields suggested that the town may need to come up with their own use

form in the future.

Councilor S. Arnold stated he would like to think that all parties can support one another and that it sounds like a solution is being worked towards.

A. Wachter, Gloucester Little League President, stated that the town baseball team was only able to use Leja field, a town field, three times last baseball season which runs from March to the end of June because the Middle School team was using it. A. Wachter stated she met with the Regional Superintendent of Schools and was told the schedule was warranted. A. Wachter stated she finds it very hard to hear that the Region is charging the Rec. Dept. for use when the Rec. Dept. Does not charge the school for use of town facilities. A. Wachter stated that the new athletic director has been very responsive and has told the Gloucester Little League that the fees will be waived so she is hopeful the fees will be waived for the town too.

Councilor S. Arnold stated his confidence in the athletic director, the Gloucester Little League and the Recreation Director to being able to work this matter out.

MOTION was made by Councilor S. Arnold to send the letter drafted regarding facility use fees be signed by the Town Council President and sent to the School Committee; seconded by Councilor W. Steere

Discussion: None

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

C. Municipal Technical Assistance Grant agreement with RI Housing and Weston and Sampson - Discussion and/or Action

Councilor W. Worthy stated that Council has received a request from the Town Planner which he read as follows:

To: Town Council Members
From: Karen Scott, Town Planner
Date: November 14, 2023
Re: RI Housing – Municipal Technical Assistance Grant

In 2023, the General Assembly adopted a package of bills which made changes to various aspects of zoning, planning, and permitting statutes. Funds have been made available for municipal technical assistance through the Municipal Technical Assistance Program. The Town received \$100,000 in grant funds to support the

drafting and legal review of local regulations to come into compliance with the new legislation.

RI Housing provided a specific approved list of consultants to use for this project. We worked with Weston and Sampson, who are also on the State's Master Price Agreement 494, to develop a scope of work that is within the budget and addresses all the requirements of the new legislation.

I am requesting authorization for signature on the attached contract between Rhode Island Housing, Weston & Sampson and the Town of Gloucester. The total contract is for \$100,000 and requires no municipal match.

Thank you for your consideration.

(End of memo)

Discussion: Councilor S. Arnold stated this was great work by K. Scott, Town Planner and gave thanks.

MOTION was made by Councilor J. Burlingame to AUTHORIZE the Town Council President to sign the contract between RI Housing, Weston & Sampson, and the Town of Gloucester entitled "Statement of Work No. 10 , Gloucester Zoning and Subdivision Regulation Updates"; said contract is for the completion of technical assistance by the Contractor (Weston & Sampson per State MPA #494) for the Town of Gloucester; seconded by Councilor W. Steere

Discussion: Councilor W. Steere stated his opinion that participating is important as Gloucester is not the only municipality competing to obtain the grant.

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
 NAYS-0

MOTION PASSED

D. Authorization to submit RIDEM Outdoor Recreation Development Grant applications - Discussion and/or Action

K. Scott, Town Planner , stated that there are two grants that the town will be applying for in the outdoor Recreation grant program. K. Scott stated that one grant is for \$400,000 with a match of \$100,000 and the other is a grant of \$100,000 with a match of \$25,000. K. Scott stated that the matching funds are all set as the town previously approved \$75,000 in ARPA funds in project 30; and, there is \$50,000 in a restricted account for grant matching available.

K. Scott stated that based on the input from the last Council meeting, she received costs for various projects. K. Scott stated that at Gloucester Memorial Park (GMP), the

proposal for the \$500,000 grant could be the one quarter mile paved path; construct six pickle ball courts and re-stripe the tennis courts.

K. Scott stated that the proposal for the \$125,000 grant at Winsor Park could be the eighteen hole disc golf course.

Councilor W. Worthy asked if these recreation grants occurred every two years. K. Scott stated that as long as the green bond gets passed, the recreation grants are offered every two years.

Councilor W. Worthy asked if K. Scott feels that the master plan can be completed as to the majority of projects. K. Scott stated yes so if something does not get done now it can be done later.

Councilor J. Burlingame asked if there was a skate park in the plans. K. Scott stated no but there is a BMX track proposed.

Councilor W. Worthy asked about the concrete pad to be constructed at GMP that can be used for a variety of activities. K. Scott stated that the pad can be used for the ice rink in the winter and maybe food trucks in the summer as well as other possibilities. Councilor S. Arnold asked for the cost of the concrete pad. K. Scott stated the cost for the pad would be \$50,000.

Councilor W. Steere asked if upgrades could be made to existing facilities. K. Scott stated that these grants don't allow for maintenance but must be used for new or rehabilitated facilities. K. Scott stated that the implementation of the Master Plan is a long term project and due to timing of the application she was trying to fit in a variety of items that appealed to a variety of ages.

Councilor S. Arnold asked for the cost to fix Leja Field. K. Scott stated it would cost \$500,000 due to the main problem being the drainage.

Councilor S. Arnold ask the cost of the bocce court. K. Scott stated that the cost for the bocce court would be \$68,000 because of the cost of the crushed stone that is required.

Councilor S. Arnold asked if the grant funds could be combined to concentrate funds at one park. K. Scott stated that these grants had to be for separate projects and could not be combined into one large project.

Councilor W. Worthy asked about the BMX track. K. Scott stated that it is unclear if there would be wetland permits required. K. Scott stated that she is trying to pick

items that make the grant unique and appeal to a variety of ages.

K. Scott stated that the grant requires a public meeting to explain the application, which is what we are doing tonight. K. Scott she is asking for the Council to authorize the submission of the grant and to confirm the match availability.

MOTION was made by Councilor S. Arnold for authorization to submit the R.I.D.E.M. Outdoor recreation grant; seconded by Councilor J. Burlingame

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

Discussion K. Scott asked for the matching funds to be committed.

Councilor S. Arnold MOTION added to commit the previously granted match funds; seconded by Councilor J. Burlingame

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

E. Candlelight Shopping - Authorization to Expend funds from Town Council Contingency Account for expenses - Discussion and/or Action
Councilor W. Worthy stated that last year Council approved “an expenditure of no more than \$300, from the Town Council Contingency Account, to fund a police detail for 2022 Candlelight Shopping”. Councilor W. Worthy stated that Charlie Wilson is asking for assistance again this year.

Discussion: Councilor W. Steere asked Chief Delprete the cost of a detail and if not more than \$300 was sufficient. Chief Delprete stated the amount was sufficient.

MOTION was made by Councilor W. Steere to AUTHORIZE an expenditure of no more than \$300.00 from the Town Council Contingency Account to fund a police detail for the 2023 Candlelight Shopping; seconded by Councilor J. Burlingame

Discussion: None

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

C. Wilson asked the Council to consider putting on a future agenda the suggestion to have a snowman exhibit during the three weeks of Candlelight shopping at the Kent Pavilion. Councilor W. Worthy asked C. Wilson to send a written request to J. Fecteau. Councilor W. Worthy requested this item be placed on the December 7, 2023 town council agenda.

F. Personnel

1. Tax Assessor's Office

a. Clerk I or Clerk II - Discussion and/or Action

Councilor W. Worthy stated that Council has received a recommendation for appointment from Don Zimmerman, Acting HR Director which he read as follows:

TO: Honorable Gloucester Town Council

FROM: Don Zimmerman, Acting Director of Human Resources

SUBJECT: Appointment of Clerk II in the Office of the Tax Assessor

DATE: November 10, 2023

Interviews were recently conducted to fill a vacant clerical position in the Tax assessor's Office. The position was posted as required by the collective bargaining agreement with LIUNA and advertised. It was posted and advertised as either a Clerk I or Clerk II, depending on experience. There were no internal applicants. Forty-two outside candidates applied and six candidates were interviewed by a panel composed of Tax Assessor Jessica Parker, Tax Collector Jane Steere, Finance Director Mark Capuano and me.

We recommend that Council appoint Rachel Smith to the position at the Clerk II classification at a base rate of \$25.76 per hour, based on Ms. Smith's past experience in real estate loan closing and title work as well as customer service, pending successful completion of a criminal background check. We recommend an effective date of November 27, 2023, or as soon thereafter as Ms. Smith is able to start.

(End of memo)

MOTION was made by Councilor W. Steere to APPOINT Rachel Smith to the position of Tax Assessor's Clerk at the Clerk II classification at a base rate of \$25.76 per hour, pending the successful completion of a criminal background check; said position shall have an effective date of December 4, 2023;

Discussion: Councilor W. Steere asked as to the date the proposed employee would

start. M. Capuano, Finance Director, stated that the date would be December 4, 2023 as it would allow Ms. Smith to give the full two weeks notice at her current employment.

Second by Councilor J. Burlingame

Discussion: None

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

G. Community Septic Loan Program

1. Discussion by Council, Vote, or Other Action regarding a request to grant an exemption and approve a Community Septic Loan for a property owned by a *Trust*. - Property Location 30A Angell Road

Councilor W. Worthy stated that Council has received correspondence from Rhode Island Housing requesting the Town's approval on a Community Septic Loan Program application that lists a Trust as owner as opposed to an individual.

Discussion: D. Iglizzi, Town Solicitor, stated that he has spoken with the Town Clerk, the Finance Director, and RI Housing about this program. D. Iglizzi stated that the program is administered by RI Housing but the money comes from the state Infrastructure Bank which is given to the consumer. D. Iglizzi stated that if there is a default, then the town pays. D. Iglizzi stated that a trust is a deviation from the normal underwriting .D. Iglizzi stated the question is whether the entity being a trust instead of a person raises an issue with the council.

D. Iglizzi suggested that after researching, he recommends the Council grant the exemption but only if RI Housing agrees to add the following language to the exemption agreement that repayment is due if 1) upon the death of the settlor or 2) or the termination of the trust. D. Iglizzi stated that he has not received an answer from RI housing as to whether or not they will agree to the additional language. D.Iglizzi suggested a motion that allows him the authority to approve the terms .

MOTION was made by Councilor J. Burlingame to consent to a Community Septic Loan Program application, #2012301633, for property located at 30A Angell Road; owners: Robert M . O'Connor LE and Co-Owner R M OCONNOR IRREVOCABLE TRUST; said consent is due to the co-owner being a trust entity as opposed to an individual with terms approved by the solicitor; seconded by Councilor W. Steere

Discussion: Councilor W. Worthy stated that both the Life Estate owner and the Trust Trustee have agreed to this request before the Council.

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED

X. Town Council Correspondence/ Discussion

1. Council has received a copy of a letter the Human Resources sent out to BJ's thanking them for donations.
2. Council has received an email from the owner and mortgage holder of Hill's Tavern. Councilor Worthy is asking for this matter to be placed on the December 7, 2023 agenda. J. Fecteau stated she will forward the email to chief Delprete.
3. Councilor W. Steere stated his thanks to the Police Department, the Police union, Human Services and Councilor C. Greathouse for the great job on the "fill a cruiser" event .
4. Councilor W. Steere stated his thanks to all who involved in the Veterans Day Ceremony. Councilor W. Steere stated it was a great event, well attended and that he does not want to forget to thank anyone so is thanking all.
5. Councilor W. Steere stated his opinion that the Council may need to have a discussion about food trucks and where they can park in town as there are concerns about ingress and egress from nearby streets.

XI. Department Head Reports/Discussion

Councilor W. Worthy asked if any department heads have anything to report or if Council has any questions for department heads.

1. M. Capuano, Finance Director, stated that he has met twice with B. Strom, Consultant, and that he has been very helpful. M. Capuano stated that he and B. Strom have looked at FY23 which the auditors are working on. M. Capuano stated that they do have some questions for the auditors. M. Capuano stated that a meeting will be scheduled hopefully for the first week of December with the auditors.
M. Capuano thanked D. Igliazzi and J. Fecteau for their help with the Community Septic Loan program
2. J. Luszczyk, Human Services Director, stated that the "fill a cruiser event" at Dino's was very successful and that it created seven vans of donations. J. Luszczyk stated it is a testament to Chief Delprete and

Captain Fague as to their leadership abilities. J. Luszczyk stated he would like to thank Councilors W. Steere and C. Greathouse for their help. J. Luszczyk also thanked C. Wilson for his generous donation.

3. M. Capuano, Finance Director, stated that there are currently twenty four loans in the Community Septic Loan program and there is only one that is delinquent.

XII. Bds. and Commissions Reports/ Discussion

Councilor W. Worthy asked if any boards and Commissions have anything to report or if Council has any questions for any Board or Commission.

None

XIII. Open Forum

Councilor W. Worthy asked if anyone has anything to discuss on any other subject and if so, to please state your name when you come to the microphone

None

XIV. Seek to Convene to Closed Executive Session Pursuant to:

A. EXECUTIVE SESSION (Closed Session)

Discussion by Council, Vote, or Other Action Pursuant to RIGL 42-46-5(a)(2) Sessions pertaining to collective bargaining or litigation or work sessions pertaining to collective bargaining or litigation or potential litigation.

1. State of Rhode Island v. David Hebert, P2-2022-1647ADV
2. State of Rhode Island v. David Hebert, P2-2022-1023ADV

MOTION was made by Councilor W. Steere to Convene to Closed Executive Session Pursuant to: RIGL 42-46-5(a)(2) Sessions pertaining to collective bargaining or litigation or work sessions pertaining to collective bargaining or litigation or potential litigation.

1. State of Rhode Island v. David Hebert, P2-2022-1647ADV
2. State of Rhode Island v. David Hebert, P2-2022-1023ADV

Discussion by Council, Vote, or Other Action; seconded by Councilor J. Burlingame

Discussion: None

VOTE: AYES-C. Greathouse, J. Burlingame, W. Steere, S. Arnold, W. Worthy
NAYS-0

MOTION PASSED

Executive Session

The Clerk invited all waiting back into the room.

XV. MOTION was made by Councilor W. Steere to Reconvene Open Session - Disclose zero (0) votes were taken in Executive Session & to Seal the Minutes of Closed Executive Session; seconded by Councilor J. Burlingame

Discussion: None

Councilor W. Worthy asked the Clerk to poll the Council.

Councilor C. Greathouse- Aye

Councilor J. Burlingame- Aye

Councilor W. Steere- Aye

Councilor S. Arnold - Aye

Councilor W . Worthy-Aye

MOTION PASSED

XVI. Adjourn

MOTION was made by Councilor W. Steere to ADJOURN at 11:25 p.m., seconded by Councilor J. Burlingame

Discussion: None

VOTE: AYES-C. Greathouse , J. Burlingame, W. Steere, S. Arnold , W. Worthy
NAYS-0

MOTION PASSED