

At a meeting of the Town Council holden in and for the Town of Gloucester on December 21, 2023

I. Call to Order

The meeting was Called to Order at 6:00 P.M. by Councilor W. Worthy , Town Council President.

II. Roll Call

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

Members absent: Cheryl A. Greathouse; Jonathan E. Burlingame

Also Present: Jean Fecteau, Town Clerk; David Igliazzi, Town Solicitor; Christine Mathieu, Deputy Town Clerk; Mark Capuano, Finance Director; Jane Steere, Tax Collector; Jessica Parker, Tax Assessor

Also Present at Regular Session which started at 7:30 PM:

G. Trembl, Director DPW; G.Mosca, Director EMA; J. Luszcz, Director Human Services; Chief Delprete

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

- A. R.I.G.L. 42-46-5(a)(2) Any discussions , considerations, vote or other actions by Town Council related to Sessions pertaining to potential litigation or work sessions pertaining to litigation - Discussion and/or Action

Councilor W. Worthy stated that we will need a motion to convene to executive session:

MOTION was made by Councilor W. Steere to CONVENE to Closed Executive Session pursuant to R.I.G.L. 42-46-5(a)(2) potential litigation or work sessions pertaining to litigation - Discussion and/or Action; seconded by Councilor S. Arnold

Discussion: None

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

Councilor W. Steere- Aye  
Councilor S. Arnold - Aye  
Councilor W . Worthy-Aye

MOTION PASSED

The Clerk invited anyone waiting into the room

IV. Reconvene Open Session - Disclosure of votes take in Executive Session & Consideration of the Sealing of Minutes - Discussion and/or Action

Councilor W. Worthy stated that now that we are ready to start our regular session we need a MOTION to reconvene:

MOTION was made by Councilor W. Steere to RECONVENE Open Session; Disclose zero (0)votes

were taken in Executive Session; and to SEAL the Minutes of Closed Executive Session; seconded by Councilor S. Arnold

Discussion: None

VOTE: AYES-W. Steere, S. Arnold , W. Worthy  
NAYS-0

MOTION PASSED

V. Pledge of Allegiance

Councilor W. Worthy asked all to please join in the pledge of allegiance

VI. Open Forum - For Agenda Items

Councilor W. Worthy stated that anyone wishing to speak on an agenda item, is welcome to speak now. Councilor W. Worthy stated to just step to the microphone and state your name for the record.

None

VII. Consent Items - Discussion and/or Action

- A. Approval of Town Council Minutes: Regular meeting of November 16<sup>th</sup> & December 7, 2023
- B. Tax Assessor Additions & Abatement - November 2023
- C. Finance Director's Report - November 2023

MOTION was made by Councilor W. Steere to APPROVE the Town Council minutes of November 16<sup>th</sup>, 2023; to TABLE the Town Council minutes of December 7, 2023; to APPROVE the Tax Assessor's ADDITIONS to the 2023 Tax Roll in the amount of \$988.13; the 2022 Tax Roll in the amount of \$153.75; the 2021 Tax Roll in the amount of \$116.17; the 2020 Tax Roll in the amount of \$114.79; the 2019 Tax Roll in the amount of \$128.77; the 2018 Tax Roll in the amount of \$126.00 and ABATEMENT to the 2023 Tax Roll in the amount of \$2,795.15; and to ACCEPT the Finance Director's Report for November 2023; seconded by Councilor S. Arnold

Discussion: None

VOTE: AYES-W. Steere, S. Arnold , W. Worthy  
NAYS-0

MOTION PASSED

VIII. New Business

- A. Personnel
  - 1. Police Department
    - a. Appointment to Rhode Island Municipal Police Training Academy to Probationary Police Officer position - Discussion and/or Action

Councilor W. Worthy stated that Council has received the following request from the Chief which he read as follows:

To: Honorable Town Council  
From: Joseph DelPrete, Chief of Police  
Date: November 28,2023  
Subj: Police Officer Recruit Appointment  
Cc: Mark Capuano, Finance Director  
Cc: Don Zimmerman, Human Resource

Dear Council Members:

I would respectfully request to appoint Bryan T. McConnell of Burrillville to the Rhode Island Municipal Police Training Academy commencing on Monday January 8, 2024.

The Rhode Municipal Training Academy salary will be \$750.00 per week until May 24 2024 and the recruit will be afforded all medical benefits according to the Town of Gloucester policy handbook. All recruit candidates are required to have healthcare coverage while in the municipal police academy. The town will provide the opportunity to enroll the candidate as of January 1, 2024, to meet this stipulation if needed.

After successful completion of the Rhode Island Municipal Training Academy on May 24, 2024, Bryan T. McConnell will be granted a one-year probationary police officer position with the Gloucester Police Department at a salary of \$64,869.23

This position further provides a full benefit package in accordance with the current IBPO 638 collective bargaining agreement.

This police officer recruit appointment process was approved by the Town Council in the FY2023 Budget to fill current vacancies and anticipated police officer retirements. Candidate McConnell has successfully completed all phases of the recruit selection process and background investigation.

Respectfully Submitted,  
Joseph DelPrete  
(End of memo)

Discussion: None

MOTION was made by Councilor W. Steere to APPOINT Bryan T. McConnell to the Rhode Island Municipal Police Training Academy commencing on Monday January 8, 2024 at the salary of \$750.00 per week until May 24 2024; the recruit will be afforded all medical benefits, as required by the Academy, with an appointed date of January 1, 2024 (if needed); after successful completion of the Rhode Island Municipal Training Academy on May 24, 2024, Bryan T. McConnell will be granted a one-year probationary police officer position with the Gloucester Police Department at a salary of \$64,869.23 with a full benefit package in accordance with the current IBPO 638 Collective Bargaining Agreement; seconded by Councilor S. Arnold

Discussion: None

VOTE: AYES-W. Steere, S. Arnold , W. Worthy  
NAYS-0

MOTION PASSED

B. Bid Award

1. IFB 2024-04 Road Sand - Discussion and/or Action

Councilor W. Worthy stated that Council has received the following recommendation from the Board of Contracts and Purchases which he read as follows:

To: Honorable Town Council  
Date: December 21, 2023  
Re: Board of Contracts and Purchases  
"IFB 2024-04 Road Sand"

Honorable Council Members,

The Board of Contracts and Purchases met on December 15th, 2023 in order to follow the Bid opening and discussion process for "IFB 2024-04 Road Sand" (as advertised). Two Bids were received by the Board. The Board of Contracts and Purchases recommends the Bid be awarded to Barnes Concrete upon Town Council's approval.

Respectfully,

Mark D Capuano  
Finance Director  
(end of memo)

Councilor W. Worthy stated that Council has also received the same recommendation from the DPW Director.

MOTION was made by Councilor S. Arnold to AWARD IFB 2024-04 Road Sand to low bidder, Barnes Concrete, at a price of \$21.10 per ton delivered and \$16.10 per ton picked up; seconded by Councilor W. Worthy

Discussion: None

VOTE: AYES-W. Steere, S. Arnold , W. Worthy  
NAYS-0

MOTION PASSED

C. Community Septic Loan Program

1. Discussion by Council, Vote, or Other Action regarding *reconsideration* of 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 on November 16, 2023 the Council voted unanimously as follows:

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

Councilor W. Worthy stated that the Solicitor can explain the reason for a reconsideration vote.

Discussion: D. Igliazzi, Town Solicitor, stated that pursuant to Council's discussions on this matter he reached out to RI Housing to ask if they would add three items as additional security to the loan. D. Igliazzi stated that the additional items of security were because the program applies to individuals and it is a trust asking for the loan in this situation so an exemption is needed. D. Igliazzi stated that the three additional items of security were as follows: that the Settlor of the trust personally guarantees the loan; that if the Settlor passed away the loan would become due; and, that if the trust were terminated, the loan would become due.

D. Igliazzi stated that RI Housing did not agree to adding these additional terms. D. Igliazzi stated that the issue is now back before the Council to decide whether to grant the exemption to a trust or not. D. Igliazzi stated that RI Housing informed him that some towns allow for a trust in this situation and some do not.

Councilor S. Arnold asked if the town would be on the hook if the loan was not repaid. D. Igliazzi stated that the Infrastructure Bank grants money to towns that is processed by RI Housing. D. Igliazzi stated that the town is always on the hook. D. Igliazzi stated he does not believe there are any loans in default. D. Igliazzi stated that the town has a lien on any property in this program regardless of whether it is an individual who owns the property or a trust owns the property. D. Igliazzi stated that the maximum amount of the loan is \$25,000 and repayment occurs if the property is transferred or if 10 years has passes.

Councilor W. Steere stated that if the town has a lien on the property then the town has a recourse. Councilor W. Worthy asked if the town has called in a loan in the past. J. Fecteau stated that she thinks there has only been one loan in default. M. Capuano, Finance Director, stated that there is one in arrears but not in default.

Councilor S. Arnold asked if the trustee was a resident. D. Igliazzi stated that the trustee is not a resident but that the settlor, who created the trust, was a resident and would be living in the property.

D. Igliazzi stated that the town was trying to get additional security by asking RI Housing for those three additional conditions but they said no. D. Igliazzi stated the town will still have a lien on the property. D. Igliazzi stated that the settlor met the conditions to qualify for the loan. Councilor W. Steere stated that the town has done these loans in the past for people whose income ratios were not ideal. Councilor S. Arnold stated he is comfortable in granting the exemption to a trust.

MOTION was made by Councilor W. Steere to RECONSIDER the vote of November 16, 2023 on

a request to grant an exemption and approve a Community Septic Loan for a property owned by a Trust, Property Location 30A Angell Road; seconded by Councilor S. Arnold

Discussion: None

VOTE: AYES-W. Steere, S. Arnold , W. Worthy  
NAYS-0

MOTION PASSED

Councilor W. Steere stated that now Council needs to determine if we want to grant to ta trust without the specific terms stated by the solicitor .

Discussion: None

MOTION was made by Councilor S. Arnold 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 owner; seconded by Councilor W. Worthy

Discussion: None

VOTE: AYES-W. Steere, S. Arnold , W. Worthy  
NAYS-0

MOTION PASSED

D. ARPA Funds

1. Commitment of funds to existing project #38 - Discussion and/or Action  
Councilor W. Worthy stated that additional funds may be needed for the next phase of work by Architect Mark Saccoccio at the town owned property located at 1272 Putnam Pike. Councilor W. Worthy stated that there is an ARPA funded project, project #38, with funds allocated for the beginning phases of architect renderings and test holes for the proposed renovation at the current police station. Councilor W. Worthy stated that Council needs to ask about the balance of those funds.

Councilor W. Worthy stated that Council indicated at their last meeting that they would like the property at 1272 vetted by Mr. Saccoccio. Councilor W. Worthy stated that if more funds are needed, more funds could be allocated to that project.

Discussion: M. Capuano, Finance Director, stated that at an October meeting, Council de-obligated funds from Project # 25 and re- assigned a portion of those funds to phase 2 and phase 3 of project # 38 for more work to be done by Mr. Saccoccio. M. Capuano stated that since that meeting there may be more expense that could be incurred depending upon how the town moves forward so it was discussed that the funds could be moved to project # 38.

M. Capuano stated that at the October meeting, \$21,450 was re-obligated to project # 38 to help pay for phase 2 and phase 3. M. Capuano stated that the remaining balance of the de-obligated funds is \$54,450 which can also be set aside for project # 38.

M. Capuano stated that \$76,000 was de-obligated in full but that only a portion was assigned. M. Capuano stated that the discussion now is on identifying the remaining balance and how it may be spent. M. Capuano stated it may be appropriated to project # 38 as it is already established.

MOTION was made by Councilor S. Arnold to obligate \$54,450 to project # 38; seconded by Councilor W. Steere

Discussion: None

VOTE: AYES-W. Steere, S. Arnold , W. Worthy  
NAYS-0

MOTION PASSED

- E. Approval & Authorization of Signature
  - 1. Designation of Authorized Community Official and National Flood Insurance Program Administrator - 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: December 12, 2023  
Re: Authorized Community Official and National Flood Insurance Program Administrator

In 2022, the Town underwent a Community Assistance Visit from the Rhode Island Emergency Management Agency to audit the Town's compliance with the State Floodplain regulations. As part of this visit, a letter designating the Town's Authorized Community Official and National Flood Insurance Program Administrator was requesting. As outlined in Section 350-55, this person is the Building Official. I am requesting authorization to for the Town Council President to sign a letter confirming this designation. Thank you.

(End of memo)

Discussion: None

MOTION was made by Councilor W. Steere to AUTHORIZE the Town Council President to sign the authorization designating , Ken Johnson, Building Official, per Section 350-55 of the Code of Ordinance, as the Town's Authorized Community Official and National Flood Insurance Program Administrator as requested by the R.I. Emergency Management Agency; seconded by Councilor S. Arnold

Discussion: None

VOTE: AYES-W. Steere, S. Arnold , W. Worthy  
NAYS-0

MOTION PASSED

2. Certificate of Compliance - Certified Personnel as Records Officer - Discussion and/or Action

Councilor W. Worthy stated that each year, the Town Clerk, as the Town Hall's Records Officer must submit an updated form to the Attorney General's Office certifying the completion of training, either in person or on line, for administration of access of public records requests. Councilor W. Worthy stated that the Clerk has utilized the on line Open Meetings Summit of July 28, 2023.

MOTION was made by Councilor W. Steere to AUTHORIZE the Town Council President to sign the Attorney General's Certificate of Compliance, Access to Public Records Act, Compliance by agencies and public bodies, certifying Jean Fecteau, Town Clerk, has completed the appropriate training; seconded by Councilor S. Arnold

Discussion: None

VOTE: AYES-W. Steere, S. Arnold , W. Worthy  
NAYS-0

MOTION PASSED

F. Vision Plan Authorization - Non-union employees - Discussion and/or Action

Councilor W. Worthy stated that in the latest union Clerk's contract Vision Coverage was negotiated into the benefit package. Councilor W. Worthy stated that Council discussed following past practice and including non-union employees in the vision coverage pool of employees. Councilor W. Worthy stated that no motion was made to include these employees. Councilor W. Worthy stated that Council can now decide whether to formalize that action with a vote if they want to extend that benefit to non-union employees.

Discussion: M. Capuano stated that he was able to speak with the Trust and get some information for Council. M. Capuano stated that there are about 10 non union employees that would be involved if Vision is added to the current package. M. Capuano stated that there are 5 individual plans and 5 family plans . M. Capuano stated that the individual plans should cost about \$142 per year and the family plans will cost about \$350 per year. M. Capuano stated that the annual cost to the town would be about \$400 per year as some expense is paid by the employee and some expense is paid by the town.

Councilor W Steere asked if this amount is covered in the current budget and M. Capuano stated he believes so.

MOTION was made by Councilor S. Arnold to INCLUDE non-union employees, currently



receiving health benefits, in the Vision Allowance Plan being afforded the Town of Gloucester Clerks Union; seconded by Councilor W. Steere.

Discussion: None

VOTE: AYES-W. Steere, S. Arnold , W. Worthy  
NAYS-0

MOTION PASSED

G. Request for use of Town owned well by local business - Discussion and/or Action Councilor W. Worthy stated that Council has received a request from a local business across Route 44 asking to tie into the town hall well.

Discussion: D. Iglizzi stated that a local business is asking to tie into the town well. D. Iglizzi stated that he contacted the RI Department of Health . D. Iglizzi stated that the Dept. Of Health told him that the town well was of a particular type that is not a public well and not accessible to the public use. D. Iglizzi stated that the designation may be changed but that there would be a process involved and the application may or may not be approved. D. Iglizzi stated he is waiting for the regulations pertinent to the change of designation.

D. Iglizzi stated he also contacted the RI Interlocal Trust to discuss the insurance risk concerns. D. Iglizzi stated that the Trust has two issues. D. Iglizzi stated that the first issue is that the Trust would defend the town if the hook up was made and someone had a negative effect from the water. D. Iglizzi stated that the second issue is that the Trust would not defend the town if there were a problem with access to water, meaning if the entity hooked up to town water did not have water . D. Iglizzi stated that the Trust would not defend in the second issue because the town would be acting as a utility and the trust would not insure the town acting as a utility.

D. Iglizzi stated his recommendation that if the town were to consider this proposal that they have the well examined for sustainability before any connection is granted to another business.

Councilor W. Worthy asked the reason the business wanted to connect to the town well. Councilor S. Arnold stated his opinion that he believed it was a capacity issue in order to be able to have more children at the business.

D. Iglizzi stated that the three issues are: 1) insurance and liability; 2) RI Department of Health and 3) the well capacity for the town and the ability to provide for the town and the business.

Councilor W. Steere stated that he has concerns that granting a proposal like this opens the door for other businesses to ask. Councilor W. Steere stated this is a slippery slope and he is inclined to deny the request.

Councilor S. Arnold stated his agreement with Councilor W. Steere. Councilor S. Arnold stated that the business is a great facility but that this request comes with a lot more issues in the future.

Councilor S. Arnold stated that the town does not need to become a water utility for businesses. Councilor W. Steere agreed and raised the concern of how to bill the business and other matters related to a utility company.

MOTION was made by Councilor S. Arnold to DENY the request for use of Town owned well by a local business; seconded by Councilor W. Steere

Discussion: None

VOTE: AYES-W. Steere, S. Arnold , W. Worthy  
NAYS-0

MOTION PASSED

#### IX. Town Council Correspondence/ Discussion

Councilor W. Worthy stated that Council has received correspondence from the following:

1. Council has received correspondence from the “State of Rhode Island, Rhode Island 250 “Semiquincentennial” (250th) RI250 Commission” reaching out to Glocester regarding local events to celebrate this anniversary.
2. Council has received notification from the Land Trust recording clerk that she is resigning from that position. No action needed by Council as the Land Trust hired that Clerk.

Councilor S. Arnold stated his thanks to J. Rix ; that she will be missed; and, wished her the best of luck.

#### X. Department Head Reports/Discussion

Councilor W. Worthy asked if any department heads have anything to report and if so to please come to the microphone or if any Councilors had any questions for department heads.

1. Chief Delprete stated that there was excellent response by his department, the DPW, the fire departments and EMA during the storm Monday. Chief Delprete stated that the police department responded to over 100 calls.
2. M. Capuano, Finance Director, stated that he has submitted a request for a 30 day extension for the FY23 audit to the Auditor General’s office. M. Capuano stated that he has not heard back yet as to if the extension was granted.
3. G. Mosca, EMA Director, stated that it was a very busy day Monday with the storm and that at one point over 2000 people were without power. G. Mosca stated that due to the cold temperature Monday night that a warming center was opened but no one came. G. Mosca stated that by Thursday morning all had power back. G. Mosca stated that all on the RI Special Needs List in the power outage areas were contacted.

Councilor S. Arnold stated that G. Mosca did a great job and offered appreciation.  
Chief Delprete explained that the RI Special Needs List is about 100 residents in town with specific special needs that were contacted by phone, in person in order to make sure of their safety during the storm.

XI. Bds. and Commissions Reports/ Discussion

Councilor W. Worthy asked if any boards or commissions had anything to report or if any Councilors had any questions for any board or commission.

None

XII. Open Forum

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

1. Buster Steere, resident, asked about the reimbursement that was supposed to have been received by the town in regards to the five year capital project contributed to by both the town and the school about 6-7 years ago. B. Steere asked if that reimbursement had been actually received.

Councilor W. Worthy asked for this item to be on the next agenda.

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

- A. Discussions , considerations, vote or other actions by Town Council related to a Session pertaining to R.I.G.L. 42-46-5(a)(2) Potential Litigation

Councilor W. Worthy stated that the Council will need a motion to convene to executive session:

MOTION was made by Councilor W. Steere to CONVENE to Closed Executive Session pursuant to R.I.G.L. 42-46-5(a)(2) potential litigation or work sessions pertaining to litigation - Discussion and/or Action; seconded by Councilor S. Arnold

Discussion: None

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

Councilor W. Steere- Aye  
Councilor S. Arnold - Aye  
Councilor W . Worthy-Aye

MOTION PASSED

XIV. Reconvene Open Session - Disclosure of votes take in Executive Session & Consideration of the Sealing of Minutes - Discussion and/or Action

MOTION was made by Councilor W. Steere to RECONVENE Open Session; Disclose zero (0) votes were taken in Executive Session; and to SEAL the Minutes of Closed Executive Session; seconded by Councilor S. Arnold

Discussion: None

VOTE: AYES-W. Steere, S. Arnold , W. Worthy  
NAYS-0

MOTION PASSED

XV. Adjourn

MOTION was made by Councilor W. Steere to ADJOURN at 9:05 PM ; seconded by Councilor S. Arnold

Discussion: None

VOTE: AYES-W. Steere, S. Arnold , W. Worthy  
NAYS-0

MOTION PASSED