

At a meeting of the Town Council holden in and for the Town of Gloucester on June 17, 2021:

Councilor Forgue stated that pursuant to current R.I. Executive Orders this meeting is being teleconferenced via Zoom.

I. Call to Order

The meeting was Called to Order at 7:30 P.M.

II. Roll Call

Members present: Julian (Jay ) Forgue, President; William E. Reichert, Vice President; Walter M.O. Steere III; Stephen Arnold; and William Worthy , Jr.

Also Present: Jean Fecteau, Town Clerk; David Igliazzi, Town Solicitor; Joseph Delprete, Chief of Police; Christine Mathieu, Deputy Town Clerk; Ken Johnson, Bldg/Zoning Official; Adam Muccino, Finance Director; Gary Treml, Director of Public Works, Robert Shields, Recreation Director; Karen Scott, Town Planner; Gerry Mosca, EMA Director; Melissa Bouvier, Senior Center Director; and John Luszcz, Human Services Director

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

Councilor Arnold reminded the Council that there may be some people joining this meeting by telephone or without video capability, therefore, Council members should identify themselves when speaking, particularly when making or seconding a motion.

Councilor Arnold went on to explain the procedure for the zoom meeting, how participants can be recognized when requesting to speak, and further stated that participants expressing inappropriate behavior or being disruptive may be removed from the meeting by the Council.

IV. Open Forum - For Agenda Items

Councilor Forgue stated that those wishing to speak on agenda items and the public hearing would be able to do so at such time as it is open to the public.

None

V. Public Hearing - Discussion and/or Action

- A. Proposed amendment to existing Entertainment License & Special Event License  
Applicant: Hill's Tavern and Grill  
Address: 415-417 Putnam Pike

Councilor Forgue stated that this public hearing was advertised in the Valley Breeze Observer on June 10,2021 and notices were sent to abutters.

Councilor Forgue DECLARED the Public Hearing OPEN

Councilor Forgue stated that Council has received the following memo from David D'Agostino, Attorney for the applicant, Al Hill which he read as follows:

Hon. Jean Fecteau, Town Clerk

Re: Hill's Tavern and Grill, LLC

June 3, 2021

Request for Amendment to Entertainment License and Special Events License

Dear Town Clerk Fecteau:

Attached here to please find a request for an Amendment to Hill's Tavern and Grill, LLC ("Hill's"), existing Entertainment License and Hill's existing Special Events License.

I am making this request on behalf of my client, Hill's Tavern and Grill, LLC, and Albert L. Hill ("Mr. Hill") and we are requesting a hearing before the Honorable Town Council on Thursday, June 10, 2021.

Consistent with the enclosed Entertainment License (amendment) application, Hill's is requesting that the Council modify a portion of Stipulation #5, to remove the words, "non amplified acoustical" [music] and, "non amplified" [vocals]. To be clear, we are requesting that Hill's be allowed to have "live" music, entertainment and amplified (including using a P A system) instruments and vocals.

Regarding Hill's Special Events License and the enclosed (amendment) application, Hill's is requesting that the Council modify a portion of Stipulation #8, to allow four (4) additional Special Event dates (for a total of 16), and to remove the words, "non consecutive weekends" and "non consecutive days". To be clear, we are requesting that Hill's be allowed to have up to sixteen (16) Special Events and that they be allowed on consecutive weekends and consecutive days, if necessary and scheduling permits.

Hill's is also requesting that the Council remove Stipulation #9 as the language would be inconsistent with Hill's Entertainment License, provided the Council modifies it as requested in the preceding paragraph.

We are requesting the Council's consideration of these License amendments because over the last thirteen (13) months, throughout the COVID-19 pandemic, the impact to businesses, municipalities, and the public at large has been in a word, devastating. Accordingly, we hope and expect there will be a robust period of postpandemic recovery, and we are requesting modifications to these licenses to provide something of additional value to our clients and customers and the various ancillary businesses that could take advantage of expanded business opportunities at Hill's, such as a number of local bands that regularly play there.

Frankly, we see this request as an economic recovery initiative; something that the Council can do for local businesses.

Thank you for your consideration and attention to this matter.

David M. D'Agostino

(end of memo)

Councilor Forgue stated that Council has received correspondence from a resident regarding Hills Tavern which he read as follows:

Dear Town Council Members (Mr. Julian Forgue, Mr. William E. Reichert, Mr. Stephen W. Arnold, Mr. Walter M.O. Steere II, Mr. William J. Worthy Jr.):

I wish to address the Town Council as to the request to modify the entertainment license of Hill's Tavern. The practice of amplifying music and vocals outdoors is affecting our overall well-being and health. The volume, duration and frequency are excessive. As 18 year residents of the town we feel we are entitled to relax on our property and within our home without being assaulted by soundwaves. Even with our windows closed and the television or stereo turned up we are being tormented by the constant bass sounds for up to four hours at a time. And now Mr. Hill is requesting additional dates and the modification or removal of stipulations that were put in place in the interest of town residents.

Over the past years and as recently as June 12, 2021 I have had to call the town rescue to have my husband transported to the emergency department at the hospital due to the severity of migraine attacks and physiological stress triggered by and exacerbated by the sensory overload. The town records will show that my husband is disabled by severe migraines. He has recently had two back surgeries, requires hip surgery and is homebound. He is on the maximum allowed medication to control consciousness losing attacks. Our doctors have advised us that the only way to reduce the effects is to avoid the stimulus. I, myself, am experiencing high levels of stress increasing my blood pressure. I've had reconstructive heart surgery and suffered a Takosubo (partial paralysis of the heart) caused by stress hormones. I fear that I may not survive a second attack.

Over the years we have placed complaints with the police department regarding the high decibel level. An officer was able to hear how loud the sound was over the phone while I was standing on my deck. On another occasion an officer came to the front door and commented that it was so loud "you can't sleep". Mr. Hill has not operated his business in good faith. He continued to use amplification when his license specified "non Amplified Acoustical" Music and "Non Amplified" Vocals. On other occasions we have been awoken by music after midnight.

During the Covid epidemic last year we learned he violated state health restrictions prompting the Gloucester Police and a town Council member to notify the Rhode Island State Police.

We are not the only residents being impacted by the events at Hill's including a neighbor who is terminally ill. The activities at the Tavern are increasingly infringing on the rights of the citizens of the community. Hill's, once a ten seat bar, has developed into a full time concert venue. Soon we will be putting our house on the market because we cannot continue to tolerate the disruption to our lives. Hopefully, the circumstances will not prevent us from finding a buyer.

As we are unable to attend the Town Council meeting, we are requesting that this letter be read at the Town Council Meeting on June 17 and that residents within hearing distance of Hill's Tavern be notified in writing about the request to amend Hill's Tavern licensing before a vote takes place. As well, we are requesting that any Council member who has a conflict of interest due to their affiliation of Hill's Tavern recuse themselves from voting on this matter.

Cheryl A. Silva  
Frank Silva  
254 Cooper Road

(end of memo)

Councilor Forgue stated that Council has also received an email from a resident of Absalona Road which Councilor Arnold he read as follows:

From: David L  
Date: June 16, 2021  
To: Stephen Arnold  
Subject: Hill's Tavern

Mr. Arnold,

I am submitting this letter in order to raise my strong objection to the requested expansion of outdoor entertainment at Hill's Tavern. I'm sure you along with your fellow Councilmen are aware that at one time the bar now known as Hill's Tavern was a small 10 seat bar with a few motel rooms. Over the years it has grown and has become a venue that has a large bar, large indoor eating and entertainment area, and an even bigger outdoor area. The request for the outdoor area originally was to have volleyball leagues. The license at that time was not expanded to allow alcoholic drinks outside.

Soon the outdoor area expanded to outdoor eating. Outdoor eating turned into outdoor parties where alcohol could not be sold outside but could be purchased inside and carried outside. The parties grew in size and noise. Instead of social volleyball it became an area for loud parties which got louder as time went on. It didn't end there. Outdoor alcohol service and outdoor music was introduced. The music was supposed to be non amplified acoustic music only. Rules and special event licenses were often ignored. Amplified music became the norm often without special event licensing. The infractions triggered hearings before the Council. Not much was done.

Now on weekends amplified music can plainly be heard at my house on Absalona Hill Road. A portion of my property abuts Peterson's tree farm. The outside amplified music comes right through and is very loud. When the music reaches the point where the windows on the south side of my house begin to rattle I call the police and request that an officer ask that the music be turned down. The officer would respond. The music would reduce in volume for a few minutes. Then once the officer cleared the music would go louder than it was when I called for loud music. A few times I would request that an officer return. the scenario would repeat itself. Then when the last song or set was played, the volume would be deafening. Why do you suppose that was done?

I have not called the police this year even though there have already been a few occasions of loud outdoor amplified music. However, I have had some people contact me at my house complaining about the loud music. I don't know these people. I was told they called me because I ran for Council. I explained to them that running isn't winning and they need to contact the actual elected Council people and call the police, not me. The bottom line is Hill's Tavern has become a venue out of control. they are not in a downtown city location where people don't reside. Hill's is on a main country road that abuts and is close to private residences. If Hill's was a good neighbor and controlled the volume of the music to a level that did not disrupt those that aren't interested in their loud music and excessive noise when the outdoor crowds grow to a point that the area was never intended for, I wouldn't be writing this letter.

Unfortunately Hill's has not been a good neighbor. Instead almost every time the Council grants special licensing and special events, Hill's Tavern exceeds what they have been licensed to do. Now

Hill's is asking for a total lifting of restrictions on the type and volume of music they can play outside. This request is beyond unreasonable and should be denied, as well as their request for additional expansion of the number of licenses to be granted.

David Laplante  
47 Absalona Hill Road  
(end of email)

Councilor Forgue stated that Council has received a memo from the Town Clerk which he read as follows:

DATE: June 17, 2021  
TO: Town Council  
FROM: Jean Fecteau, Clerk  
RE: Amendments to current licenses

Over the years, the allowed uses for our liquor establishments may have resulted in some confusion from time to time. In this memo I have tried to show what is currently allowed and what the effects of the requested changes could be:

**Regarding Entertainment License:**

Currently, Mr. Hill has an Entertainment license for the interior of the building. Council expanded that use to allow establishments with current outdoor service areas, for alcohol, to have Non Amplified Acoustical Music & Non Amplified Vocals ceasing at 9:00PM. **This use could be nightly.**

**Proposed Amendment:**

The applicant would like the "non amplified acoustical" [music] and, "non amplified" [vocals] removed. **This could be construed that Council is allowing amplified music nightly.**

Acoustical outside music was added to their indoor Entertainment License to help the establishments during the pandemic but, in this case, used in conjunction with Special Events it could confuse what is allowed if that stipulation is changed to amplified music.

**Regarding Special Events:**

In November, 2020, the applicant was granted the following Special Events:

- 8 Car shows
- 10 Fundraisers
- 8 Bike Runs Start or Finish
- 2 Car Washes
- 4 DJ & Bands

for a total of 32 Special Events.

Stipulations were placed regarding this approval and there are two stipulations under consideration, per this request, before the Council:

**First is Stipulation #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 the hours of 2:00 P.M. and 7:00P.M.

Proposed Amendment:

I understand the request tonight to mean, Mr. Hill would like to have **4** more of his **32** events include outdoor amplified music for a total of **16 amplified events**.

The request is to also amend this stipulation by eliminating "non consecutive weekends and non consecutive days". **This could mean, as an example, amplified music could occur twice in one weekend or two or more weekends in a row.**

**Second is Stipulation #9.** Any use outside use that consist of amplification of music or entertainment, shall be considered a special event requiring a license.

**Proposed Amendment:**

The request for #9 is to eliminate this stipulation. The applicant can explain their reasoning but if the Entertainment License is not amended to allow potential nightly amplification then eliminating this stipulation is not necessary.

I have prepared this memo not to express my opinions on the requests but to try to clarify the request in relationship to what is currently in place.

Jean Fecteau, Clerk  
(end of memo)

Councilor Forgue asked if the attorney or applicant would like to speak before the public.

Discussion: David D'Agostino, Attorney for applicant, Hill's Tavern, thanked the Council for reading the application into the record. Attorney D'Agostino stated that the applicant was before the Council previously on a compliance issue as to amplified music and not as to a public health issue as suggested in the Silva letter. Attorney D'Agostino stated that the applicant has not been brought before the Council since. Attorney D'Agostino also stated that as far as any noise complaints, the applicant has followed the town noise ordinance and that Mr. Hill has tried to be a good neighbor. Attorney D'Agostino stated that the applicant is requesting an amendment to his entertainment license that would remove the restriction on amplified music outside as it is difficult for a performer to be heard outside without a PA system. Attorney D'Agostino also stated that applicant is requesting an additional 4 special events be added to the 12 (outdoor amplification events) that have previously been granted as well as the removal of the restriction of non consecutive days or weekends for the special events. Attorney D'Agostino stated the reason for the request to remove the non consecutive language is as a means for the applicant to better reschedule an event if one can't be held. Attorney D'Agostino stated that the requests are ones of economic recovery due to the pandemic.

D. LaPlante, resident, thanked the Council for reading his letter and stated that it was his opinion that Hill's Tavern is not a reasonable neighbor. D. LaPlante stated he has called the police about the loud music many times and that he has no problem with the business trying to make it in the area but

the loudness is an issue. D. LaPlante stated that the music, at times, is so loud that his windows shake. D. LaPlante added that the venue seems to be a concert one as opposed to a bar; that amplified music is not reasonable in a residential area; and, that he does not want the applicant to receive more special events. Mr. LaPlante stated the applicant should show more respect to the neighbors.

Councilor Worthy gave a detailed explanation of sound based on his experience as a professional musician. Councilor Worthy described how sound travels and it is the low sounds that cause the shaking. Councilor Worthy stated it is his experience that it is not unreasonable in the business for acoustic music to mean amplified. Councilor Worthy suggested that maybe the town's noise ordinance could be revised to include specific decibel levels that would enable people and businesses to know when they were too loud and also to better hold people and businesses accountable.

Councilor Reichert stated that he understands what Councilor Worthy said but that if a resident complains about the noise, he is going to side with the resident. Councilor Reichert described how another establishment handled noise complaints when they received them by taking the music inside.

Councilor Steere stated that Council was very generous with the 32 events granted to applicant at the November licensing hearing during the pandemic and that the applicant agreed to those events without complaint. Councilor Steere stated that he agrees with Councilor Reichert in siding with the residents. Councilor Steere stated that sound effects differently depending on the lay of the land but if the sound is so great as to rattle windows then decibels don't matter. Council Reichert stated that Mr. Hill can have as many inside events as he wants. Councilor Steere described the facebook advertisement which states that Hill's Tavern is the #1 music venue . Councilor Steere stated that Hill's represented themselves as a bar/ grill at the time of licensing and not a music venue. Councilor Steere stated his opinion that applicant should not be granted any changes to the license already granted. Councilor Steere stated that residents are entitled to peace and quiet. Attorney D'Agostino stated that Mr. Hill is restricted to ending music at 7 PM for special events and at 9 PM for outdoor non amplified and it is not fair for people to say they are hearing music after those times. Attorney D'Agostino restated that the applicant was before the Council to request 4 more special events and to waive the non consecutive language. D. LaPlante stated that he never complained that the music was after hours. D. LaPlante asked Councilor Worthy if he had been a paid entertainer at Hill's Tavern. Councilor Worthy explained that he performed unpaid at Hill's Tavern on St. Patrick's Day 2021 and prior to that he hadn't worked at Hills since before COVID.

Councilor Forgue DECLARED the Public Hearing CLOSED

Council Discussion:

Councilor Steere stated that Attorney D'Agostino summed up his case when he said that they agreed to the license in place. Councilor Steere stated that an agreement was made at the time of licensing. Councilor Arnold understands both sides and suggested that the Council has tried to work with Mr. Hill in the past and maybe a compromise could be reached.

Councilor Steere stated that the Town Council was very generous when they granted the license in November to the applicant and the applicant agreed to the licenses granted. Councilor Steere added that these are business people who agreed to the license for outdoor events and must understand that they might have bad weather and still agreed to the license in a pandemic. Councilor Steere stated again how generous the Council was in granting the license that they did. Councilor Forgue inquired

if Councilor Steere was open to extending the time of the license in case it was not held due to bad weather. Councilor Steere stated that he does not want to impact the neighbors and he was not sure what event had been lost . Councilor Steere stated that the event applicant brought up as lost was actually held but held inside. Councilor Forgue agreed with Councilor Steere but he would like to figure out a way for the applicant to recoup the events he lost. J. Fecteau , Town Clerk, stated that if an applicant calls her office and says that they could not hold the event because of bad weather that the event is not counted but may be rescheduled. Councilor Forgue asked Attorney D’Agostino if he understood that if the applicant does not hold a special event at the time scheduled due to bad weather then he can call the clerk’s office and let them know so they won’t count it. Attorney D’Agostino stated he did not understand.

Councilor Forgue gave an explanation to Attorney D’Agostino after Attorney D’Agostino stated he did not understand what process was being explained.

J. Fecteau , Town Clerk, stated that if an applicant like Mr Hill ,who applied for and received a special event license calls the clerk if the event is not held then that event does not count in their totals allowed and may be re scheduled. J. Fecteau stated that no one has ever told Attorney D’Agostino or Mr. Hill that if an event could not be held that it would count against them. J. Fecteau stated that both Mr. Hill and his attorney have been before the Council numerous times where the process has been explained and both Mr. Hill and his attorney have stated that they understand the process. J. Fecteau stated that it is very dangerous for Mr. Hill and his attorney to now claim that they do not understand the process.

Councilor Forgue suggested that the applicant and his attorney look over what has been granted; that the Council wants to work with them; but, in his opinion to grant more would be too much and not fair to the people in the neighborhood.

MOTION was made by Councilor Reichert to to DENY the request for a proposed amendment to the existing Entertainment License & Special Event License of:

Applicant: Hill’s Tavern and Grill  
Address: 415-417 Putnam Pike

seconded by Councilor Steere

Discussion: Councilor Arnold stated that applicant was granted 12 special events and if one can’t be held then to contact the Clerk’s office.

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold -Aye  
Councilor Worthy -Recusal  
Councilor Steere -Aye  
Councilor Reichert -Aye  
Councilor Forgue-Aye

MOTION PASSED



VI. Consent Items- Discussion and/or Action

- A. Approval of Town Council Minutes: Regular meeting of May 20, 2021 and June 3, 2021
- B. Tax Assessor - Additions and Abatements May 2021
- C. Finance Director's Report - May 2021

MOTION was made by Councilor Worthy to APPROVE the Town Council minutes of May 20, 2021 and June 3, 2021; No Additions or Abatements for May 2021; and ACCEPT the Finance Director's Report of May 2021; seconded by Councilor Reichert

Discussion: None

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold -Aye  
Councilor Worthy -Aye  
Councilor Steere -Aye  
Councilor Reichert -Aye  
Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY

VII. Unfinished Business

- A. Boards and Commissions
  - 1. Appointments - Discussion and/or Action
    - a. Parade Committee
      - 1. Alternate position # 1
      - 2. Alternate position # 2
      - 3. Positions #7,8,and 9

Councilor Forgue stated that the Chair is still seeking volunteers

MOTION was made by Councilor Reichert to TABLE the appointments to the Parade Committee; seconded by Councilor Worthy

Discussion: None

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold - Aye  
Councilor Worthy -Aye  
Councilor Steere -Aye  
Councilor Reichert -Aye  
Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY

- b. Tax Assessor's Board of Assessment Review
  - 1. Position # 3 term to expire 12/31/2024

Councilor Forgue asked if there were any recommendations and if not then we can table to next meeting.

A. Muccino, Finance Director, stated that he was very happy to have a recommendation. A. Muccino, spoke with Matt Varatta, of 44 Spring Grove Road, and he is willing and available. A. Muccino stated he is recommending M. Varatta.

MOTION was made by Councilor Worthy to appoint Matt Varatta to the Tax Assessor's Board of Assessment Review; seconded by Councilor Arnold

Discussion: None

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold -Aye  
Councilor Worthy -Aye  
Councilor Steere -Aye  
Councilor Reichert -Aye  
Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY

- c. Conservation Commission
  - 1. Position #1 Three year term to expire 1/2023

Councilor Forgue stated that the Chair has recommended moving the Alternate member, Katherine Bucci, to fill position # 1 and the board will recommend someone to fill the Alternate position at the next Council meeting

MOTION was made by Councilor Reichert to APPOINT Katherine Bucci to Position #1 on the Conservation Commission for the three year term to expire 1/2023; seconded by Councilor Arnold

Discussion: None

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold -Aye  
Councilor Worthy -Aye  
Councilor Steere -Aye  
Councilor Reichert -Aye  
Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY

d. Planning Board

1. Position #4- term to expire 3/2022

Councilor Forgue stated that the Chair has recommended Joseph Desrosiers from the Talent Bank listing.

MOTION was made by Councilor Steere to APPOINT Joseph Desrosiers to the Planning Board, Position #4, for a term to expire 3/2022; seconded by Councilor Reichert

Discussion: None

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold - Aye  
Councilor Worthy -Aye  
Councilor Steere -Aye  
Councilor Reichert -Aye  
Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY

e. Recreation Commission

1. Position # 2- term to expire 1/2023.

Councilor Forgue stated there are no recommendations at this time. Councilor Forgue stated that as there is no chair, Council could review the Talent Bank listing and perhaps make a recommendation at the next Council meeting.

MOTION was made by Councilor Worthy to TABLE the appointment to the Recreation Commission, Position #2, for a term to expire 1/2023; seconded by Councilor Arnold

Discussion: None

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold -Aye  
Councilor Worthy -Aye  
Councilor Steere -Aye  
Councilor Reichert -Aye  
Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY

B. Authorization for Signature- Discussion and/or Action

1. Contract Agreement for Information Technology Products & Services (Land Evidence recording, indexing, and book maintenance)  
Avenu Enterprise Solutions, LLC & Town of Gloucester

Councilor Forgue stated that the Clerk is requesting Council remove this item from the table to a later date. Councilor Forgue stated that the Clerk feels it is appropriate to seek bids for this service for two reasons: the length of time her office has been in a contract with this company and the fact

that the successor contract proposed by the company has a change of terms. Councilor Forgue stated that the Clerk will review the current master price agreements or go out to bid and return to the Council with a recommendation from the Board of Contracts and Purchases at a later date.

MOTION was made by Councilor Worthy to REMOVE FROM THE TABLE Item B. Authorization for Signature, 1.Contract Agreement; seconded by Councilor Reichert

Discussion: None

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold -Aye  
Councilor Worthy -Aye  
Councilor Steere -Aye  
Councilor Reichert -Aye  
Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY

VIII. New Business

A. Personnel

1. Gloucester Police Department

a. Promotion - Discussion and/or Action

1. Senior Patrol Officer to the rank of Sergeant

Councilor Forgue 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: June 7, 2021  
Subj: Sergeant Promotion  
Cc: Adam Muccino

Dear Council Members:

I would respectfully request that the Town Council authorize and consent to the promotion of Senior Patrol Officer Donald Sousa to the rank of Sergeant on the Gloucester Police Department.

This Sergeant promotion will assist in filling supervisory vacancies in the weekly 4 day on and 2 day off police department schedule.

This promotional assignment will further be in accordance with the current IBPO 638 collective bargaining agreement and become effective on Sunday June 27, 2021.

(End of memo)

Discussion: None

MOTION was made by Councilor Arnold to AUTHORIZE the promotion of Senior Patrol Officer Donald Sousa to the rank of Sergeant on the Gloucester Police Department, said appointment is in

accordance with the current IBPO #638 Collective Bargaining Agreement and shall be effective June 27, 2021; seconded by Councilor Reichert

Discussion: None

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold -Aye  
Councilor Worthy -Aye  
Councilor Steere -Aye  
Councilor Reichert -Aye  
Councilor Forgue- Aye

MOTION PASSED UNANIMOUSLY

Councilor Steere offered congratulations to Officer Sousa and added that it is well deserved as he works hard like all in the department. Councilors Reichert and Forgue agreed.

- b. Appointments - Discussion and/or Action
  1. Full Time Dispatcher Appointment

Councilor Forgue stated that the Council has received a memo from the Police Chief which he read as follows:

To: Honorable Town Council Members  
From: Chief Joseph DelPrete  
Date: June 7, 2021  
Subject: Police Department Full Time Dispatcher Appointment

Dear Council Members,

I would respectfully request to make the following employment appointment to the Gloucester Police Department.

Appoint Tracy Cook, age 23, to a permanent full time dispatcher position within the Gloucester Police Department. Ms Cook will begin training the week of Sunday June 20, 2021 at a training rate of **\$14.00 per hour.**

Once she successfully completes the eight week training program she will fill the full time vacancy/retirement position left by employee Paul Desnoyers that will take effect on August 24, 2021. Ms. Cook will be afforded the first step salary and fringe benefits under the Laborers International Union Local 1322 full-time dispatchers' collective bargaining agreement. As a condition of her employment she must complete a criminal history and police background investigation.

A total of 30 applications were received, and 11 candidates were interviewed for this position. Ms. Cook has previous law enforcement training and experience, as well police and fire dispatch experience from the Rangley, Colorado Police Department.  
Respectfully Submitted,

Joseph DelPrete  
Chief of Police  
(end of memo)

Discussion: None

MOTION was made by Councilor Worthy to APPOINT Tracy Cook to the position of permanent full time Police Dispatcher to begin training the week of Sunday June 20, 2021 at the training rate of \$14.00 per hour. Upon successful completion of training the appointee shall fill the vacancy created by the retirement of employee, Paul Desnoyers, effective August 24, 2021. Ms. Cook will be afforded the first step salary and fringe benefits under the Laborers International Union Local 1322 full-time Dispatchers' Collective Bargaining Agreement; and as a condition of employment appointee must complete a criminal history and police background investigation; seconded by Councilor Reichert

Discussion: None

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold - Aye  
Councilor Worthy -Aye  
Councilor Steere -Aye  
Councilor Reichert -Aye  
Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY

Congratulations offered by all Councilors

2. Recreation Dept. - 2021 Summer Positions - Discussion and/or Action
  - a. Recreation Dept. - 2021 Summer Positions To: Town Council

Councilor Forgue stated that Council has received a memo from Bob Shields, Recreation Director with his recommendation for hire:

MOTION was made by Councilor Worthy to APPOINT for the 2021 Summer Recreation Programs the following:

**1. Arts & Crafts Instructor**

Elizabeth Tammaro	\$12.00 hrly.	<b>start date June 23</b>
Cassidy Horton	\$11.50 hrly.	<b>start date June 23</b>

**2. Tennis Aides**

Sebastian Campanella	\$11.50 hrly.	<b>start date June 23</b>
Amelia Campanella	\$11.50 hrly.	<b>start date June 23</b>
Anneliese Curry	\$11.50 hrly.	<b>start date June 23</b>
Sarah Brouillard	\$11.50 hrly.	<b>start date June 23</b>
Douglas Baima	\$11.50 hrly.	<b>start date June 23</b>

**3. Tennis Instructor**

Colton Mousseau \$22.50 hrly. start date June 23

**4. Water Safety Instructor**

This position has been eliminated, no appointment necessary.

**5. Lifeguards**

Brooke Anderson	\$13.50 hrly.	start date June 23
Jarred Gaudiana	\$13.00 hrly.	start date June 23
Nadine Maynard	\$13.00 hrly.	start date June 23
William Cavanagh	\$13.00 hrly.	start date June 23
Mia Clancy	\$13.00 hrly.	start date June 23
Mason Caramante	\$13.00 hrly.	start date June 23

**6. Water Safety Aides/L.I.T**

Bianca Ferreira	\$12.00 hrly.	start date June 23
Jordan McGuire	\$12.00 hrly.	start date June 23
Peter Giorgianni	\$11.50 hrly.	start date June 23
Cordelia Siedzik	\$11.50 hrly.	start date June 23
Talia Barbosa	\$11.50 hrly.	start date June 23

**7. Parks & Grounds**

Dylan Carpenter	\$12.00 hrly.	start date June 23
Scott Chase Jr.	\$12.00 hrly.	start date June 23

**8. Lottery for Parking Lot Attendants**

No Lottery needed, only 5 applicants

Ryan Shields	\$11.50 hrly.	start date June 23
Maggie Maynard	\$11.50 hrly.	start date June 23
Maggie Heaney	\$11.50 hrly.	start date June 23
Logan Cabral	\$11.50 hrly.	start date June 23
Colby Carter Jr.	\$11.50 hrly.	start date June 23

seconded by Councilor Reichert

Discussion: Councilor Steere asked R. Shields, Recreation Director, if all hired were from Gloucester. R. Shields stated that the only applicants not hired from Gloucester who applied were for tennis aides and they were offered other positions but chose to not take them. Councilor Steere stated that the preference is to hire Gloucester youths for Gloucester positions and R. Shields agreed.

Councilor Forgue requested the Clerk poll the Council:

- Councilor Arnold -Aye
- Councilor Worthy -Aye
- Councilor Steere -Aye
- Councilor Reichert -Aye
- Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY

3. Carry Over Paid Leave Request
  - a. Town Clerk's Office - Senior Clerk - Discussion and/or Action

Councilor Forgue stated that Council has received a request from the Town Clerk which he read as follows:

DATE: June 16, 2021  
TO: Town Council  
FROM: Town Clerk  
RE: Carry over of paid leave 2020/21 to 2021/22

Council:

I am writing to request a carry over of vacation time for Senior Clerk, Susan Harris.

For the beginning of the year our office was short staffed, then we held three elections and two financial meetings. During the pandemic, due to illness, our office staff was working to cover for each other. For these reasons, Sue was unable to use up all of her vacation time.

Without the carry over of time, per the handbook, she would lose vacation days.  
We are requesting a carry over of no more than 37.5 hours which is the equivalent of one week.

Thank you for your consideration

Jean Fecteau, Clerk  
(end of memo)

Discussion: none

MOTION was made by Councilor Reichert to AUTHORIZE the carry-over of vacation ` time for employee, Susan Harris, from 2020/21 to 2021/22, at an amount not to exceed 37.5 hours; seconded by Councilor Steere

Discussion: None

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold -Aye  
Councilor Worthy -Aye  
Councilor Steere -Aye  
Councilor Reichert -Aye  
Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY



B. Winsor Field Recreation Facilities - Discussion and/ or Action

1. Review inventory of improvements/repairs
2. Authorization of expenditure of funds as needed from Town Council Contingency Account or other funding sources/accounts

G. Treml, Director of Public Works, stated that the following work was performed at Byron Winsor Park: speed bumps installed, signs up as to the speed bumps, 3 new swings put up, landscape timbers installed around the play area, play area cleaned and mulched, parking lot re graded, 2 basketball nets put up, and 1 tennis net. Councilor Steere stated that Gary and his crew did a good job but it is his opinion that Council should look at a long term plan to fix and maintain the park. A discussion was held between the Council members and G. Treml regarding the idea of hiring private contractors to take care of the municipal parks during the spring/summer to free up the department of public works employees.

No action taken by Council.

C. Town Council Rules of Conduct - Discussion and/or Action

Councilor Forgue stated that he put this item on the agenda and that there is a draft “Rules of Conduct” in Council’s packet for Council to consider, amend, discuss and vote if ready, after discussion. Councilor Forgue stated that he feels there has been some confusion on the Council and he feels it has been embarrassing for the town. Councilor Forgue stated that he takes full responsibility for his behavior. Councilor Forgue stated that he feels there is a need for rules as there are none and other boards may also feel the need.

Councilor Worthy read the rules of conduct as follows:

TOWN COUNCIL RULES OF CONDUCT

**RULE 1. PRESIDING OFFICER**

The President, or in the President's absence, the Vice President shall preside at all meetings. In the event of the absence of both the President and Vice President, or in the event that both the President and Vice President are unable to discharge the duties of the President, the Town Council, with the senior member in point of service presiding, shall elect another member to perform the duties of the President during the absence or disability of both the President and Vice President.

**RULE 2. CONDUCT OF MEETINGS**

The President shall take the chair at the hour designated for the meeting of the Town Council and shall promptly call the members to order. Three members of the Town Council shall constitute a quorum. The start of a meeting may be delayed for a reasonable period of time pending arrival of a third Town Council person needed to constitute a quorum.

**RULE 3. PRESERVATION OF DECORUM AND ORDER AND APPEALS FROM DECISION OF THE PRESIDENT**

A. The President shall preserve decorum and order, may speak to questions/points of order in preference to other members, and shall decide all questions of order, subject to appeal to the Town Council. A question of order takes precedence over the question giving rise to it and must be decided by the President without debate but shall be subject to appeal to the Council. In the event of a dispute as to a point of order, the decision of the President may be appealed by any member of Town Council, which shall be decided by a majority vote of the members present. The question shall be put

as follows: "Shall the decision of the President stand as the judgment of the Council?" The vote shall be taken by roll call, and it shall be decided in the affirmative unless a majority of the Town Council present and voting vote to the contrary.

B. Every Member desiring to speak shall address the President, and upon recognition by the President, the Members comments shall be germane to the topic and shall avoid personal attacks and indecorous language. During Town Council Meetings, no Town Council Member shall personally criticize, attack, malign, or impugn the character or integrity of fellow Town Council Members or citizens who come before the Town Council or disrupt, delay, the Town Council meeting. Any member engaging in such conduct shall be declared out of order by the President and directed to cease such conduct. Should the Town Council Member persist, the President shall again declare such member to be out of order, and such member shall immediately yield the floor. If any member transgresses the rules of the Town Council, the President shall, or any member may, call him/her to order, in which case he shall cease, unless permitted to explain.

C. Any person addressing the Town Council shall respectfully address the Body confine himself/herself to the questions under debate, avoid personalities, and refrain from vulgarity, and for any failure to so conform, he/she shall be declared out of order by the President and shall forthwith yield the floor. When a Council Member wishes to question a speaker, he/she must be recognized by the President who will ask the speaker to respond. When questions are raised, the President may attempt to answer or to designate someone to answer to eliminate all speaking at one time.

#### **RULE 4. ROLL CALL VOTES**

If the vote on any question before the Town Council is not unanimous, the President shall ask the Town Clerk to conduct a roll call vote, and the Town Clerk shall separately record the vote of each member.

#### **RULE 5. SPEAKING BY MEMBERS**

A member wishing to speak shall address the President. After being recognized to speak, a member shall not be interrupted except by a call to order, for the correction of a mistake, or to yield to another member. Each member shall confine his/her remarks to the question under debate. No member shall speak more than once on the same question until all other members wishing to speak on the question have done so. Meetings shall be conducted in an orderly manner.

#### **RULE 6. SPEAKING BY THE PUBLIC**

A. Members of the public shall be entitled to speak at meetings during any period designated on the agenda for public comment, once, for a period of time determined at the discretion of the President, and at other times when invited to do so by the President. The public shall address their comments to the question under debate as indicated on the agenda. Pursuant to RI General Laws 42-46-6(b), public comment regarding subject matter not on the agenda but received during the public participation portion of a meeting shall be for information purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.

B. The President shall enforce order and decorum among members of the public in attendance at regular meetings. Any person addressing the Town Council shall, while speaking, be subject to the same rules and shall be entitled to the same privileges of order applicable to members of the Town Council, provided, however, that a member of the Town Council may ask the speaker a question or

obtain information.

#### **RULE 7. MATTERS NOT ADDRESSED**

Any question of procedure not addressed by these Rules shall be governed by "Robert's Rules of Order."

Discussion: Councilor Forgue stated Council could read the rules and it could go on the next agenda or they could decide tonight.

Councilor Steere stated that the Town has been around since 1731 and never had a code of conduct because it has not been needed. Councilor Steere asked Councilor Forgue why a code of conduct was needed now.

Councilor Forgue stated his reasons for needing the code of conduct as he feels times have changed and it would lend itself to a more professional atmosphere for the meetings.

Councilor Steere stated that one of the problems at the meetings is that he feels Councilor Forgue does not allow him to speak. Councilor Steere stated that the issue is not the rules but a lack of respect. Councilor Steere stated that having three Council members together in one room gives them an opportunity not available to the two other Council members who are alone at their respective locations. Councilor Steere stated that the raising the hand is not the issue.

Councilor Forgue stated that he does have a hard time seeing if hands are raised. Councilor Forgue stated that the two Council members in the room with him do raise their hands.

Councilor Steere stated that no one said last year that a code of conduct was needed and that what was needed was a need for someone to run the meetings better. Councilor Steere stated that it was not a personal attack on Councilor Forgue.

Councilor Steere stated that tonight the meeting has been good but there have been nights that were not.

Councilor Reichert stated that, in his opinion, Council should all just get along and that the proposed rules are too detailed.

Councilor Steere stated that he has tried to help the three new Council members because he has experience and it is upsetting when he has not been allowed to speak. Councilor Steere stated again that he has no problem raising his hand but feels the public has been favored in the opportunity to speak over himself as a Council member. Councilor Steere stated that he feels there is no need for a set of rules of conduct but rather that the Council can work together to make the meetings run better. Councilor Steere stated that there have been disagreements between Council members over the thirteen years he has been on the Council but the disagreements passed and the Council moved on. Councilor Steere recognized that these are different circumstances with the pandemic and zoom meetings but that makes the meetings more challenging and not meetings requiring a set of rules. Councilor Steere stated he checked with the school committee and they do not have a set of rules. Councilor Forgue asked if Councilor Steere checked any other boards and Councilor Steere answered that he had not.

Councilor Steere asked where Councilor Forgue got the rules of conduct. Councilor Forgue stated that he did some research and the sources were Robert's Rules of Order, the internet and other towns. Councilor Steere asked for the towns and Councilor Forgue refused to give the towns. Councilor Forgue stated that Councilor Steere could also do research.

Councilor Steere stated that he does research for every meeting. Councilor Steere stated that the town Council members are all equal with the president having the responsibility of running the meetings and signing documents. Councilor Steere stated that he is trying to help the new members because he has experience.

Councilor Forgue stated that he enjoys every minute of being a Council member especially helping people.

Councilor Steere stated being the president is a hard job and that he did it for six years.

Councilor Forgue thanked him for his service. Councilor Forgue stated that he is just trying to do the best he can.

Both Councilor Forgue and Steere apologized for past behaviors.

Councilor Steere stated that the proposed rules give the president too much power. Councilor Steere stated that if the rules were enacted it may prevent his voice from being heard.

Councilor Forgue restated his opinion that rules can be good and that he is trying to bring more order to the meetings.

Councilor Steere stated that it is his opinion that the town has not ever needed rules and still does not need rules.

Councilor Arnold stated his opinion that everyone needs to feel good about the code of conduct rules. Councilor Arnold stated that he doesn't see an issue with having a set of written rules that all agree on.

MOTION was made by Councilor Arnold to TABLE the draft Rules of Conduct; seconded by Councilor Worthy

Discussion: None

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold -Aye

Councilor Worthy -Aye

Councilor Steere -Aye

Councilor Reichert -Aye

Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY

D. Historical Cemetery Repairs - Council to Discuss and/or Approve proposed options  
Councilor Forgue stated that Council has received some information from Representative Chippendale regarding a historical cemetery in the village on Route 44. Councilor Forgue stated that this is a historical cemetery where a veteran is buried and that the hill on the road is corroding. Councilor Steere asked why the town was involved as it is a state road. Councilor Forgue stated that they have asked the state for options because it is a state road. Councilor Forgue asked G. Treml, Director of Public Works if he knew the options. G. Treml did not. Councilor Forgue asked if Council members would be okay if he, G. Treml, and the gentleman from town who takes care of the cemeteries, could meet with Representative Chippendale to discuss the three options to firm up the wall. Councilor Steere asked who they would be talking to. Councilor Forgue stated that they would meet with Department of Transportation (DOT). Councilor Steere stated he has no problems getting information and bringing it back to the Council. Councilor Steere asked why the state is not taking care of this problem. Councilor Forgue stated that Rep. Chippendale thought it would be good for the Council to all be involved so the town has a voice instead of the State just doing what they want. Council members all agreed that the meeting could take place and the information brought back to Council for a discussion and/or decision.

No action taken by Council.

E. Scarecrow Festival - Request for Waiver of future Public Hearing per Code of Ordinance, Chapter 175-4, Sect. B.2- Discussion and/or Action

Councilor Arnold stated that Mark Rechter and Dennis Robidoux are overseeing the Scarecrow Festival again this year and that Mark is present to give a quick overview. Councilor S. Arnold stated that, per an email from Mr. Rechter, he is requesting a waiver of a Public Hearing. Councilor Arnold stated that per the Ordinance for Special Events, if an event is held year after year and remains relatively unchanged the public hearing requirement of their application can be waived by Council. Councilor Arnold stated that the applicants still have to come forward after submitting all the information for Council approval but the advertising and public hearing can be waived.

Discussion:

M. Rechter, co chair of Scarecrow Festival, gave an overview of the festival: the festival would extend from Chestnut Hill Road to Citizens Bank; the intent is to do what they did in 2019; music, pony rides and animals will be at Chepachet Union Church; and 4 local non profit food vendors have been asked. Councilor Forgue stated that this is a great event and offered his appreciation for all their hard work. M. Rechter stated his concern about not having to provide any information about mobile food establishments (mfe) in their application. J. Fecteau, Town Clerk, stated that any food trucks that they have participate must come to the clerk's office. M. Rechter stated that they are only inviting 4 local non profits to participate and he wants it on the record that any mfe's will not come from them. M. Rechter asked if they would have to send out abutter notices if the public hearing requirement is waived. J. Fecteau stated if public hearing is waived by Council no abutter notices would be required.

MOTION was made by Councilor Worthy to WAIVE the Public Hearing requirement under Code of Ordinance, Chapter 175-4, Sect. B.2, for the applicants of the 2021 Scarecrow festival if, after review of application, it is determined the request is not considered substantially different from past applications; seconded by Councilor Reichert

Discussion: Councilor Steere asked if the reviewing of the application means a review by Council. J. Fecteau stated that it is Council's choice if they want to review the application. Councilor Steere stated that he feels Council should review in order to know what is going on and added that Dennis and Mark do a fantastic job with this event. J. Fecteau stated that even if the public hearing is waived, the application will still come before Council. Councilor Steere stated he just wanted to make sure.

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold -Aye  
Councilor Worthy -Aye  
Councilor Steere -Aye  
Councilor Reichert -Aye  
Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY

F. Parks & Municipal Buildings Maintenance - Discussion and/or Action

Councilor Forgue stated that he met with G. Trembl, Director of Public works (DPW) to ask if he could get prices for the cost of maintaining the municipal buildings in town to take the pressure off the DPW. Councilor Forgue stated that G. Trembl stated that he received a price of \$18,000 per year for the four municipal buildings. Councilor Forgue stated that the budget has already been approved and passed and asked A. Muccino, Finance Director, if he could help this year or next. A. Muccino stated that he would have to do some investigating. Councilor Forgue asked the other Council members if they were okay with A. Muccino looking into ways to come up with the \$18,000. There were no objections from Council members. Attorney Igliazzi, Town Solicitor, stated that the Council needs to be aware of two things. First, Attorney Igliazzi, stated that any contract needs to go out to bid if it exceeds \$5000 or Council would have to select a vendor off of the master price list agreement. Second, Attorney Igliazzi stated that it's important for Council include in the contract currently being negotiated with the DPW that a clause be added that this proposed work is not part of the bargaining work and to make sure the labor attorney is aware of this proposed work in order to be able to add a clause. A. Muccino asked if Council was aware that the FY 22 budget already has an additional worker approved. G. Trembl stated that the position in the budget is for a new body in the DPW and would not be considered for the position under discussion. A. Muccino wanted to clarify that the budgeted position for the DPW is separate from the proposed position being talked about here.

No action taken by Council.

G. 4<sup>th</sup> of July Celebrations: Approval of Plans - Discussion and/or Action

Councilor Forgue stated that the Parade Committee Chair has submitted a plan for some of the events taking place on the weekend of July 4<sup>th</sup> 2021. Councilor Forgue stated that if the she is present, the Chair can review the plan and the plan should be approved by Police and Fire at this time.

Discussion: K. Sorensen, Acting chair, stated that she submitted the plan to the police and EMA Director for review. K. Sorensen stated the plans are the same that are submitted each year with the only change being the date. K. Sorensen stated that G. Mosca, EMA Director, made a request to add hand sanitizing station at the food truck or have the food trucks provide. K. Sorensen stated that all signs are up.

Councilor Forgue stated his thanks and great job. Councilor Steere thanked K. Sorensen and all who have helped as this is a tradition but one which we really need this year.

MOTION was made by Councilor Worthy to APPROVE the plan, submitted by the Parade Committee, for the Fireworks and festivities held on July 2, 2021; seconded by Councilor Reichert

Discussion: None

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold - Aye

Councilor Worthy -Aye

Councilor Steere -Aye

Councilor Reichert -Aye

Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY

H. Human Services Dept.

1. Adoption of Policy - Temporary Crisis Fund - Discussion and/or Action

Councilor Forgue stated that Council has received a memo from John Luszcz, Human Services Director, which he read as follows:

Date: June 17, 2021  
To: Gloucester Town Council  
From: John Luszcz, Director of Human Services Services nothing  
Re: "Temporary Crisis Fund", New Policy

Attached you will find a copy of a new policy for you to consider for adoption. This has been discussed with all department heads at our monthly meeting. The policy sets guidelines for expending funds from the emergency account established a few years back with the intention of helping people who find themselves displaced from their place of residence due to fire, flood, lack of utilities or other essential services. this fund will provide fast temporary shelter to families who find themselves in this type of situation.

This policy is entitled "Temporary Crisis Fund". The policy has been reviewed by the Town Solicitor, Finance Director, Town Clerk and myself and we feel it will serve our purpose.nothing  
Thank you for your consideration  
John Luszcz, Director of Human Services  
(end of memo)

Discussion: Councilor Steere asked of the need for this fund. J. Luszcz, Director of Human Services, stated that J. Fecteau and A. Muccino have helped him to navigate this matter and thanked them. J. Luszcz stated he has met with the two motels in town and they are on board; and, he is meeting with the Salvation Army on Monday to discuss the vouchers and the system . J. Luszcz stated he is going to try to do this without taxpayer money by soliciting donations to help the fund . J. Luszcz stated that the people in this town have huge hearts and give tremendous support and lastly, J. Luszcz thanked K. Johnson for bringing this fund to his attention. Councilor Steere asked if there have been a lot of people who have needed this fund. J. Luszcz stated that there have been some. Councilor Steere stated that the fund is good to provide temporary relief to those in need.

MOTION was made by Councilor Reichert to ADOPT the Temporary Crisis Fund policy submitted by the Human Services Department; said policy to be dated June 17, 2021; seconded by Councilor Worthy

Discussion: None

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold -Aye  
Councilor Worthy -Aye

Councilor Steere -Aye  
Councilor Reichert -Aye  
Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY

I. Town Council Summer Meeting Schedule- Discussion and/or Action

Councilor Forgue stated that the Clerk was asked if Council is considering a summer schedule this year. Councilor Forgue stated that in the past we have eliminated one of the meetings in both July and August. Councilor Forgue stated that Council can review the calendar and decide whether to eliminate any meetings this summer. Councilor Forgue stated that the Council has a public hearing set for July 1 at this time.

Discussion: None

MOTION was made by Councilor Worthy to amend the schedule of regular meetings with the following changes to hold meetings during the 2021 summer as follows: July 1<sup>st</sup> and August 5<sup>th</sup> and require the Clerk to advertise said changes; seconded by Councilor Worthy

Discussion: None

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold -Aye  
Councilor Worthy -Aye  
Councilor Steere -Aye  
Councilor Reichert -Aye  
Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY

IX. Town Council Correspondence/ Discussion

Councilor Forgue stated that there is no correspondence in packet.

Councilor Steere requested to have a letter sent to the representatives and senators that if they have anything that is not of a personal nature but is for the Town Council that it be sent to the Town Clerk in order to be forwarded to all members of the Council. Councilor Forgue asked J. Fecteau, Town Clerk, to send the letter and she said she would.

X. Department Head Reports/Discussion

A. Muccino, Finance Director, just wanted to draw Council's attention to the note in his memo regarding the American Rescue Plan funding that is coming. A. Muccino stated that he will submit a packet to the state tomorrow but the state is acting as a conduit only for the federal treasurer. A. Muccino stated that this is a long process and he will bring it back to Council's attention when he receives.



## XI. Bds. and Commissions Reports/ Discussion

A. Sarje, EDC Chair, stated that she will hold off on her report as to the website until the July meeting. A. Sarje stated that the Gloucester Land Trust has offered to pay the \$300 that EDC budgeted for towards the trail head maps. A. Sarje stated that EDC met last week and discussed re allocating the \$300 budgeted for the trail head maps to the Gloucester Heritage Garden. A. Sarje wanted to bring this matter to the Council's attention.

## XII. Open Forum

1. Joe & Jackie Franco, 701 Chopmist Hill Road, discussed an issue they have with K. Johnson, Building/Zoning Official, and asked if Council will take action regarding their complaint. Councilor Forgue stated that he is a little familiar with the situation and asked if Mr Franco has complied with all building requirements. Mr/Mrs Franco both stated that they are before the Council regarding K. Johnson's behavior. Mr. Franco stated he will pursue legal action. Councilor Forgue stated that is his right. Councilor Forgue asked if Mr Franco had a building permit. Mr. Franco stated he had a building permit but it was expired. Mr. Franco stated his opinion that Council was just going to let this behavior continue. Councilor Forgue stated Council appreciates Mr/Mrs Franco's comments and they will have a discussion with K. Johnson before any decision may be made.
2. J. Pattison-Schmidt, 48 Sandy Brook Road, is questioning the delay on town issuance of his concealed carry permit. J. Pattison-Schmidt explained the time frame and alleges that the Chief of Police in Gloucester drags his feet or does not issue permits and the entire gun community is aware of this problem. J. Pattison-Schmidt is asking the Council to do their job and make sure the chief is doing his job. Councilor Forgue stated the Council will speak to the Chief.

Chief Delprete stated he would not respond to this particular applicant but would give an overview of the permit process. Chief Delprete stated there have been 65 permits outstanding since he has been here and that 45 have been given out as well. Chief Delprete stated that the process takes three to four months through the Attorney General's office but could take between 3-8 months through Gloucester. Chief Delprete stated that the law does not have a time limit. Chief Delprete stated the applicant has an active permit in Johnston so he does not need one from Gloucester. Chief Delprete stated he issued three permits just last week. Chief Delprete stated that the permit process is ongoing; that the applicant's permit came in when he was out injured and that applicant did not properly complete his application; but that it is in the process. Chief Delprete stated again that the law has no time limit and that the time can vary from department to department in the state. Councilor Forgue thanked Chief Delprete.

3. Laurie Gaddis-Barret asked about the plan as to public remote access to Town Council meetings with the Governor's order set to expire on June 25<sup>th</sup>. Councilor Forgue stated that traditionally the Town as had one Council meeting in July and one Council meeting in August. J. Fecteau, Town Clerk, stated that the Governor's order is set to expire on June 25<sup>th</sup> and the Governor may extend the order, drop the order or pass legislation mandating a hybrid form of meeting with in person access as well as zoom access. J. Fecteau stated that we have to wait to see what the Governor does on June 25<sup>th</sup>. L. Gaddis Barrett repeated the same question asking what the Council will do in July. J. Fecteau stated that Gloucester will rise to

the occasion and no one will be excluded from a meeting. J. Fecteau stated the notice, as to the type of meeting, will be posted 48 hours before the meeting at the Secretary of State's office. J. Fecteau stated we will do the best we can and to provide what we are required to provide. L. Gaddis Barret made a request for remote access meetings to continue and it is hard for her to accept that she has to wait until June 25 to find out what type of meeting will be held in July.

4. K. Sorenson asked the Council to address the issue of mandatory vaccines at a future meeting. K. Sorenson is concerned that mandatory vaccines for employees is spreading and she would like the public to have a choice.

XIII. Seek to Convene to Executive Session Pursuant to:

- A. R.I.G.L. § 42-46-5.(a)(5) Sessions pertaining to the acquisition or lease of real property for public purposes, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public. Discussion, vote or other action by Town Council
- B. R.I.G.L. § 42-46-5(a)(2) Sessions pertaining to potential litigation, or work sessions pertaining to litigation.  
Two (2) Matters for Discussion by Council, Vote or Other Action

MOTION was made by Councilor Arnold to Seek to Convene to Executive Session Pursuant to: R.I.G.L. § 42-46-5.(a)(5) Sessions pertaining to the acquisition or lease of real property for public purposes, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public. Discussion, vote or other action by Town Council & R.I.G.L. § 42-46-5(a)(2) Sessions pertaining to potential litigation, or work sessions pertaining to litigation, two (2) Matters for Discussion by Council, Vote or Other Action: seconded by Councilor Worthy

Discussion: None

Councilor Forgue requested the Clerk poll the Council:

- Councilor Arnold - Aye
- Councilor Worthy -Aye
- Councilor Steere -Aye
- Councilor Reichert -Aye
- Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY

After Executive Session

XIV. Re-Convene Open Session

MOTION was made by Councilor Steere to **RE-CONVENE** Open Session, **SEAL** the minutes of closed session pursuant to to RIGL 42-46-7.c; and to **DISCLOSE one (1)** vote was taken in

Executive Session; seconded by Councilor Worthy  
Discussion: None

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold -Aye  
Councilor Worthy -Aye  
Councilor Steere -Aye  
Councilor Reichert -Aye  
Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY

XV. Personnel

A. Town Employee - Granting of "Leave without pay" status - Discussion and/or Action  
MOTION was made by Councilor Arnold to GRANT "Leave without Pay" status to the employee currently serving as the Tax Assessor effective retroactively to 1/1/21; this status shall remain in effect until further action of the Town Council; seconded by Councilor Worthy

Discussion: Councilor Reichert asked if the employee was still accruing vacation time, sick time and receiving health benefits. D. Igliazzi, Town Solicitor, stated that she is still an employee so she is receiving health benefits. D. Igliazzi stated that this matter is to just her status to leave without pay only.

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold -Aye  
Councilor Worthy -Aye  
Councilor Steere -Aye  
Councilor Reichert -Aye  
Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY

XVI. Adjourn

MOTION was made by Councilor Worthy to ADJOURN at 11:15 p.m. seconded by Councilor Steere

Discussion: None

Councilor Forgue requested the Clerk poll the Council:

Councilor Arnold -Aye  
Councilor Worthy -Aye

Councilor Steere -Aye  
Councilor Reichert -Aye  
Councilor Forgue-Aye

MOTION PASSED UNANIMOUSLY