

At a meeting of the Town Council holden in and for the Town of Gloucester on October 18, 2018:

I. Call to Order

The meeting was called to order at 7:00 p.m.

II. Roll Call

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

Also Present: Jean Fecteau, Town Clerk; William Bernstein, Assistant Town Solicitor; Gary Treml, Director of Public Works; Diane Brennan, Finance Director; Joseph DelPrete, Chief of Police; Ken Johnson, Building/Zoning Official; Karen Scott, Town Planner; Lori DeSantis, Tax Assessor; and Gerald Mosca, EMA Director

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. DPW Salary Classification & Compensation Plan
Adoption, Action and/or Discussion

Don Jacobs, of D. I. Jacobs Consulting Co., spoke regarding the Classification and Compensation Plan that he has developed for the Public Works Department employees. D. Jacobs stated that in formulating his plan he used three (3) criteria: market data, rate of pay of an employee, and how long an employee has been in his current position, to guide whether employees are paid competitively. D. Jacobs stated that in September, he presented the Council with a classification plan consisting of five (5) grade levels and a characteristic chart which defines each grade level. D. Jacobs stated that seven (7) communities were surveyed to compare positions, not employees, and noted that there are always variations in terms of positions in one community versus another.

D. Jacobs stated that he has now given the Council a proposed compensation plan which is a salary structure with a minimum and a maximum salary range. D. Jacobs suggested using plus or minus 15% as a reasonable guide to interpret the market data. D. Jacobs stated his opinion that, in looking at the market data, the (Gloucester) employees are being paid "competitively" in comparison with the average mid-point of the market data he has collected. D. Jacobs noted that there is a detailed chart in the Council's packet entitled "Proposed Salary Ranges", which is the most important chart in the whole study and summarizes everything he has done. D. Jacobs commented that everything he is sharing with the Council, he has shared with the employees.

D. Jacobs reviewed the numbers on the Proposed Salary chart. Councilor Henry noted that the numbers on her chart are off by several cents compared to D. Jacobs' numbers. The other Council members agreed. D. Jacobs explained that this could be a rounding error and stated that it is close enough. D. Jacobs stated that he will also give the Council a set of administrative guidelines that he urges the Council to adopt if they are comfortable with the plan.

D. Jacobs spoke about the chart which shows hiring range and market equity range. D. Jacobs suggested that when hiring a new employee, a range be established that is competitive with the market data. D. Jacobs explained that when an employee is hired at the low end of the market range, it gives the employee room to grow and become more competitively paid, based on what the Town can afford. D. Jacobs further stated that the Town can reserve the right to hire above the hiring range based on either the qualifications of the applicant and/or market conditions.

D. Jacobs stated that the Town would have the flexibility to decide ultimately what is in the Town's best interest.

Regarding current employees, Mr. Jacobs stated the other term for market equity is retention. D. Jacobs stated that when comparing the current employees' rate of pay to the benchmark, they are all a little bit above. D. Jacobs noted that the range structure is designed to give people room to grow. D. Jacobs stated that he will go back to the employees to talk to them about how to pay them as employees. D. Jacobs stated that his next step is to come back to the Council with a recommendation regarding how to pay employees more money, for which there are four (4) criteria: competitiveness with the market place; years of service; objectives (accomplishments or projects); and cost of living. D. Jacobs noted that how much the Town can afford to spend is up to the Town, and once they have made that decision, the question is what is the best way to spend that money. D. Jacobs stated that the salary ranges will be adjusted year to year by dollars and cents, not by a percentage like in the past.

Councilor Henry asked if we should be comfortable collecting our own market data. D. Jacobs replied that they really do not need somebody to do that for them, but he would be happy to if they wished. D. Jacobs further stated that the seven (7) communities are not "etched in stone"; the Council may want to survey different ones. D. Jacobs stated what is most important is how the data is used.

Councilor G. Steere stated that he is impressed with what D. Jacobs came up with for each position. D. Jacobs stated that those were done based on employee input and what comes back from them in the form of a job description is consistent with the classification plan.

Councilor G. Steere asked the other Councilors if they have had time to review and digest the materials submitted. Councilor Burlingame stated that if the Council adopts this we will need a process going forward to collect market data so we can adjust it each year. Councilor Burlingame stated that in the past, when negotiating the various contracts, we did survey the job positions in many of the communities surveyed by D. Jacobs. Councilor Burlingame stated that we would need a formal procedure for HR to survey the market conditions each year.

D. Jacobs stated that the next recommendation he will bring to the Council will be the cost aspect, after he has a chance to meet with the employees again. D. Jacobs stated that he will then come back to the Council with a specific recommendation as to how to pay employees additional compensation going forward.

Councilor Burlingame stated that he likes the idea of the classification system without regard to the type of work people do because in manufacturing and clerical jobs, there are probably 50 to 75 jobs descriptions, but they all boil down to a job classification. Councilor Burlingame further stated that we have to realize that if we adopt this concept, the economic or financial part of it will fall to the people who will be sitting here on January 1st, when the budget process starts. Councilor Burlingame stated that Council will have to make the decision regarding how much we can afford. Councilor Burlingame stated that there is a limit as to where we can go with this Council, but it is important that this Council adopt a classification system.

D. Jacobs stated that if you look at the four (4) criteria he is suggesting, particularly the one called "accomplishments or objectives", which is tied directly to what an employee does, that decision was made at the department level and not the Council level. D. Jacobs commented that the Council has 100% control over the decision of how to pay employees. D. Jacobs stated that only one (1) criteria is used right now, and a percentage is given to employees across the board. D. Jacobs stated that he is not recommending that because it puts different amounts of money in people's pockets,

based on their rate of pay. D. Jacobs suggested paying them a dollar amount. Councilor Henry stated that some of that has been driven by other negotiations. Councilor Burlingame asked how do we address that with the three (3) bargaining units in Town. Councilor Burlingame stated that it is no different than everyone else in the state that has bargaining units; they give a percentage and there are no performance evaluations given within the bargaining unit. D. Jacobs replied that he has always emphasized meeting with the employees and he is essentially negotiating with them right now. D. Jacobs stated that the word “accomplishment” came from the employees, not from him, and stated that the word “performance” has a negative connotation. Councilor Burlingame disagreed, stating that performance is how well you perform against the objectives that have been established for you, and how much you get paid depends on how you perform.

D. Jacobs stated that he is not recommending anything specific to the Council because he needs to meet with the employees further to get a better understanding of what they would like to do. D. Jacobs stated that based on what they tell him, he will come back with a specific set of recommendations on how to pay the employees more money. D. Jacobs stated that what he has found in the cities and towns he has worked for is that they do not talk to the employees; open lines of communication do not exist when it comes to paying people more money. D. Jacobs stated that the employees are told a percentage and are not asked whether they like it or not. Councilor W. Steere disagreed, stating that the majority of our employees are part of bargaining units. Councilor W. Steere asked if there are any other municipalities that are doing what D. Jacobs is proposing. D. Jacobs replied very few because you have to want to do it and most municipalities do not want to do it. Councilor W. Steere stated that it is not true that we don’t communicate with the employees, noting that there is back and forth with the bargaining units regarding percentage. D. Jacobs stated that all he is suggesting is that there is more than one (1) way to pay an employee. D. Jacobs further stated that performance means something different in the public sector than it does in the private sector; the concept is the same but it is not quite the same thing. Councilor W. Steere stated that we don’t really have a performance process. D. Jacobs stated that he highlighted that as one of the four (4) criteria. D. Jacobs further stated that the reason the Council doesn’t have anything specific is because he needs to get a sense of whether the Council is comfortable with the grade levels and the ranges he has developed.

Councilor Henry stated that the sticking point is that, historically, industry and municipalities have always talked in terms of percentage increase. Councilor Henry stated that this Town Council is not going to change the way the state and other municipalities compensate. D. Jacobs stated that it is a change of mindset and he is here this evening to make sure the Council is comfortable. Councilor Henry replied that it is not if the Council is comfortable, it is if the employees are comfortable. D. Jacobs commented that he works for the Council, not the employees. D. Jacobs stated that it is critical for him to understand what the employees are thinking and what you see in the job descriptions really came from them. D. Jacobs stated that he will bring back to the Council any concerns of the employees for the Council to make a final decision. D. Jacobs stated that he is looking for a consensus of the Council regarding whether they are comfortable so he can take the last step of the study, which is a specific set of recommendations on how to pay their employees.

Councilor G. Steere stated that he is comfortable with what he sees. Councilor Burlingame stated that he is comfortable with the fact that benchmarks have been identified as well as a process going forward regarding market data collection. Councilor Burlingame further stated that having the five (5) job classifications makes sense to him and he endorses the concept. Councilor Burlingame stated that he has always been in favor of paying for performance. D. Jacobs commented that this practice is alive and well in the private sector but not in the public sector. Councilor Burlingame stated that he wants to establish a framework for the next Council to work with and let them implement it.

Councilor G. Steere stated that D. Jacobs has November and December to get it done. D. Jacobs stated that it will be done by the end of October. The Council members thanked D. Jacobs for his work.

V. Open Forum - For Agenda Items

Councilor G. Steere asked if everybody on the list is present regarding the Solar Ordinance. The response was affirmative. Councilor G. Steere suggested that they wait and speak during the Public Hearing, all agreed.

VI. Public Hearing

Glocester Code of Ordinance - Proposed Amendment

A. Glocester Zoning Ordinance Sec. 350, Article VII Special Regulations, §350-46 Solar facilities - Discussion and/or action

Councilor G. Steere stated that this Public Hearing was advertised in the **Valley Breeze the week of September 27th, October 4th, and October 11th, 2018.**

Councilor G. Steere noted that the first reading for this proposed amendment was held on September 20, 2018.

Councilor G. Steere DECLARED the Public Hearing OPEN and read the following memo from the Town Planner and a recommendation from the Planning Board as follows:

To: Town Council Members
From: Karen Scott, Town Planner
Date: September 18, 2018
RE: Advisory Opinion, Solar Facilities Zoning Ordinance Revision

At their September 17, 2018, the Planning Board unanimously approved the attached Advisory Opinion to be forwarded to the Town Council for consideration. I plan to attend the September 20, 2018 Town Council meeting to answer any questions you may have.

From Planning Board Memo:

At their September 17, 2018 meeting, the following motion was made by Planning Board Vice Chairman David Calderara:

After careful consideration and discussion at the May 21, 2018, June 18, 2018, August 20, 2018 and September 17, 2018 workshop/special meetings and the June 4, 2018 regular meeting, the Gloucester Planning Board hereby recommends that the Town Council enact revisions to the Gloucester Zoning Ordinance as detailed in the attached Draft Section 350-46, Solar Energy Systems revision, dated [9/12/18 (as amended)] 9/17/18, attached hereto. Said revisions further define standards for the siting and design of solar energy systems based on size and impact. The Board recommendation is based upon the following Findings of Fact Relating to Consistency with the Gloucester Comprehensive Community Plan and Purposes of Zoning per RIGL Title 45 Chapter 24, the Zoning Enabling Act of 1991 as noted below.

(With attachments regarding findings of facts & consistency with Zoning)

Based on the above findings, I hereby make a motion to recommend approval of the draft solar energy systems zoning ordinance revision, dated [September 12, 2018 (as amended)] September 17, 2018 to the Gloucester Town Council.

The motion was seconded by Lynn Furney. During the discussion Members Charette, Folcarelli, and Gross noted their support of the amendments as a whole but felt the setback requirements noted in Section 350-46 J (2) should be much larger. Motion was unanimously approved. Ayes - (Charette, Calderara, DeGrange, Furney, Pitocco, Folcarelli, Gross)
(end of Planning Board reference)

Discussion: Karen Scott, Town Planner, stated that this Zoning Ordinance amendment is in response to the 6-month moratorium by the Town Council in June of this year. K. Scott stated that the primary concerns are: land use compatibility; significant tree-cutting; property value impacts; and public safety. K. Scott stated that the Planning Board spent a lot of time on the ordinance with the assistance of Scott Millar of Grow Smart Rhode Island. K. Scott noted that the Planning Board's primary policy direction focused on the protection of residential neighborhoods and the Town's natural resources. K. Scott stated that she gave a thorough overview of the changes during the first reading and would be happy to answer any specific questions this evening. K. Scott noted that the proposed amendments may be altered prior to the close of the Public Hearing without further advertising.

Councilor G. Steere stated that we will go forward with public comment first, in the order on the sign-up sheet. Councilor G. Steere asked the speakers to state their name and address for the record.

1. Buzz Becker, solar developer from Hexagon Energy, stated that the Council has received a written letter with detailed feedback regarding the ordinance amendments, and he wants to highlight a few of the points of emphasis. B. Becker stated that this ordinance is very thoughtful in terms of balancing the demand between preserving the nature of the community and allowing the landowners development opportunity. B. Becker stated that they have concerns regarding lot coverage restrictions as there are some large tracts of land that would be good sites, but because of the way they are zoned, they would not be under consideration. B. Becker stated that another concern is the industrially zoned parcels. Mr. Becker stated when you think of industrial zone you think of high impact and noise but when these arrays are build they are very static and only produce the sound of an air conditioner unit. Mr. Becker stated he hopes the Council will reconsider the amendments as written.
2. Marjorie Swift asked the Council to consider their plan to make the best use of their land on Old Hartford Pike, Route 101. M. Swift stated that the parcel is approximately 59 acres with 5 acres cleared and the rest all forest. M. Swift stated that in the 44 years they have occupied this land, they have only derived income once by selectively thinning the forest. M. Swift stated that the Land Trust has rejected any idea of taking the land for open space. M. Swift stated that this puts them in the unfortunate situation of not being able to stay here and pass the land down to family. M. Swift stated that a solar facility seems to be a win/win situation because 20 acres would be used and returned to open space at the end of the facility's useful life. M. Swift noted that the proposed site is not near any wetlands and the installation would not be visible from the road or from any abutting neighbors. M. Swift mentioned the increased tax benefit to the Town. M. Swift stated that they have been working with Hexagon Energy since March and making sure that every obstacle is covered. M. Swift stated that the failure to implement this solar facility would be a hardship for them and they would have to consider other options, such as a housing compound with four (4) houses, or selling the land and their home. M. Swift thanked the Council for listening to her concerns.
3. Stacey Swift stated that they have been at this location for 44 years and in 1996 they had a certified forester come in and selectively cut trees for lumber. S. Swift stated that after this

was done, people said they did not see where trees had been cut. S. Swift stated that he is very interested in the environment, adding that this would be environmentally friendly and would be completely out of sight. S. Swift mentioned global warming, stating that it is much worse than everybody thinks.

4. Michael Recorvits, 111 Winchester Drive, stated that he has lived in Town for 38 years and it has been a great experience for his family. M. Recorvits thanked the members of the Town Council, Planning Board and the Town Planner for their work and foresight in creating an ordinance for solar energy systems, which not only protects the residents, it also creates a balance for the owners of the land, the solar companies and the Town. M. Recorvits had several comments and suggestions for the Council to consider in the proposed amendment to the solar facilities ordinance. M. Recorvits asked who has the responsibility to make sure the provisions in the ordinance are followed and should the ordinance include a section on whom or what body has the responsibility to regulate and enforce each of the provisions.

M. Recorvits referred to pages 4 and 5 of the proposed amendments, stating that it includes provisions for a vegetated buffer that visually screens year-round the solar energy system from view from the adjoining properties. M. Recorvits asked if there should be a provision stating that if the vegetated buffer is compromised, it will be replaced within a reasonable amount of time.

M. Recorvits mentioned the section that addresses security fencing, stating that the fence shall be at least 16 inches off the ground. M. Recorvits stated that children like to explore and he is concerned that they could crawl under the fencing and be injured. M. Recorvits wondered if this provision is put in the final ordinance, could the Town be held responsible or have any liability. M. Recorvits stated that one of the solar companies also questioned this at one of the Planning Board meetings.

M. Recorvits stated that his last point, which he is most concerned about, pertains to new Section J., Subsection 6, Noise. M. Recorvits stated that this proposes to change the noise level at the property line from 40 decibels to 55 decibels. M. Recorvits stated that a major concern is the potential noise that could be emitted from the solar installation disturbing the peace and quiet that we expect in a rural environment. M. Recorvits stated that he hopes all the parties' interests and concerns can be balanced as the Council considers the revision of the ordinance. M. Recorvits stated that he was assured by one of the solar companies that he would not hear noise from his property line and if this is the case, there is no need to change the current level of 40 decibels to 55 decibels. M. Recorvits stated that leaving the present level at 40 decibels will go a long way in having neighborhoods accept solar energy.

M. Recorvits thanked the Council. The Council members thanked M. Recorvits for his comments.

5. Jon Bates stated that he sent a letter to the Council and reiterated that there are certain benefits to consider developing clean solar energy in the area. J. Bates stated that his family has been in West Gloucester going back to 1790. J. Bates stated that his grandmother was an environmentalist before anybody ever used that term and she was actively concerned when Factory Mutual came in to the area looking to buy land. J. Bates stated that his family is extremely committed to the environmental impact aspects of any development and when Hexagon first contacted them, they looked at it very clearly. J. Bates suggested that the Council consider development on a case by case basis, not by broad stroke restrictions that may or not apply to any given parcel.

6. Barbara Bates spoke from her seat and was partially inaudible on the recording. Ms. Bates stated it is important we do not have a facility that looks like a “parking lot” on Route 6. B. Bates stressed the important of good, clean, energy.
7. Leo David, of 350 Old Snake Hill Road, stated that his property borders the Killingly Management Area and Factory Mutual. L. David stated that he had reservations regarding solar when he was first approached, but then saw where the panels would be, they could barely see it from their house, never mind anyone else. L. David stated that they are very concerned with the environment and would like to do their part, but they are looking out for their family at the same time. L. David stated that the best approach would be a case by case basis. Councilor Burlingame stated that it is a case by case basis before the Planning Board and asked L. David how many acres he owns. L. David replied 50 acres.
8. Hannah Morini, of Green Development, stated that she would like to summarize the points she made at the last meeting and to make a couple of additional ones. H. Morini stated that Green Development has been working diligently for over two (2) years with a lifelong farmer and landowner in Glocester, the Phillips family. H. Morini stated that they have attended almost all of the meetings regarding the previous ordinance and since that ordinance passed, they have been working with National Grid to ensure that there is a good interconnection and have worked closely with the landowner to make sure they are not disrupting their farming operation. H. Morini stated that it is difficult for a landowner to make the decision to work with a solar company; if they had other choices, they would not sign lease options. H. Morini noted that most farming families have at least one person that works off the farm to bring in additional income.

H. Morini stated that one thing that is troubling about this ordinance is 15% lot coverage, but if you are zoned anything other than industrial, of which there are only two (2) lots in the entire town, you can't build a system larger than 200,000 square feet, or 4.59 acres. H. Morini pointed out that for the Phillips family, who has 80 acres, it amounts to 5.6% of their land that can go to solar, which is not enough for the farmer to make the choice. H. Morini stated that it would make sense for the Town to allow the projects where they are actually physically able to be built and she agrees that it should be a case by case basis. H. Morini stated that if the Town is trying to limit solar for lot coverage, she feels that the lot coverage should be the maximum, not 15% or 4.5 acres.

H. Morini stated that she understands wanting to have healthy setbacks from neighboring properties, but one size doesn't fit all. H. Morini gave the example of a solar array next to a lot with wetlands and stated that a 200 foot setback would not be necessary. Regarding land coverage, H. Morini stated that it should not include the area between the rows because many farmers are looking to keep that land in agriculture.

Councilor Reichert stated that there is no 3-phase wire. H. Morini stated that it is actually going much further than that. H. Morini stated that you can actually extend the 3-phase feeder into the site, but in some rural communities in Rhode Island, those feeders are also at capacity. Councilor Reichert commented that this would eliminate a lot of people who think they can put solar in. Councilor Reichert further stated that if you don't have interconnect, you cannot have solar. Councilor Reichert stated that some of this is ahead of itself.

Councilor Henry asked H. Morini if some farmers are looking at farming in between rows so they can maintain their farm and open space tax status. Councilor Henry noted that solar farms are going to be taxed differently. H. Morini stated that in Rhode Island, towns are able to charge \$5,000 per megawatt in tangible taxes, which is an incentive for towns to allow

projects to be built. H. Morini stated that a dual use law was passed two (2) years ago which would allow a farmer to remain in the farm, forest and open space program if they take less than 20% out for solar. Councilor Burlingame stated that it is his understanding that when the next revaluation occurs, the land directly underneath the solar panels will be assessed as commercial, like the land that sits underneath cell towers. Councilor Burlingame stated that the land underneath the solar panels is no longer agricultural and will be taxed at a different rate. H. Morini stated that is why the state passed the tangible tax law. Councilor Burlingame stated that this will be an issue going forward because when people come forward with their proposals for solar farms, they may be unaware of the impact on their taxes.

9. Roger Phillips, White Oak Farm, stated that he is under a lease option for a 12 to 14 acre solar system on his property at plat 18 lot 73, consisting of 79.9 acres. R. Phillips stated that they have chosen a local company to consult with on the solar project if accepted. R. Phillips stated his opinion that clearing 20 acres of standing woodland is excessive. Regarding placement, R. Phillips stated of “out of sight, out of mind”, avoid high travel areas and keep it back. R. Phillips spoke regarding setbacks, lighting, and decommissioning.
10. Roy Najecki, Reynolds Road, stated that he serves on the Town’s Conservation Commission and Land Trust but he is speaking as an individual resident. R. Najecki expressed concern about the potential for forest fragmentation. R. Najecki stated that it might look fine from the road, but from overhead you would see a checkerboard of solar fields. R. Najecki stated that he has looked at neighboring towns’ zoning with regard to solar fields and, for example, Cumberland prohibits the cutting of trees whatsoever. R. Najecki commented that Gloucester’s proposed ordinance is quite comprehensive and addresses many issues that other towns have failed to address. R. Najecki commended the Planning Board for their effort.
11. Marjorie Swift, Hartford Pike, spoke about land being re-zoned under the solar area and stated that their option agreement states that the solar company would pay the difference in taxes. M. Swift also pointed out that Hartford Pike already has 3-phase wiring.
12. Joe Donnelly, 1470 Putnam Pike, stated his opinion that solar energy is a positive thing and we should put in as much as we can, if it can be unintrusive to other people. J. Donnelly stated that we cannot have signs in our front yard saying “No New Power Plant” and be against solar. J. Donnelly stated that he is confused by some of the Planning Board’s decisions and asked why does it matter what zone the property is in. J. Donnelly stated that he has a large parcel and doesn’t know why it would be preferable to have a small project on the road with a 200 foot setback instead of a larger one off the road that nobody could see.
13. Norman Sampson, of Reynolds Road, referred to the proposed power plant in Burrillville, stating that we’re saying solar doesn’t look nice or you have to cut down trees. N. Sampson expressed his opinion that it should be done on a case by case basis.
14. Ms. Justham, of Absalona Hill Road, stated that the ordinance does not address access roads as part of a project as a whole. Councilor G. Steere asked her if the road is next to her property. Ms. Justham replied in the affirmative.
15. Stacey Swift stated that he has learned so much and complimented everybody for their input. S. Swift stated that he was interested in the comments made by M. Recorvits with regard to

buffer zones and vegetation. S. Swift stated that his plan calls for that to be checked periodically when maintenance is done. S. Swift spoke about the noise factor, stating that solar panels do not make any noise as opposed to wind generators. S. Swift stated his opinion that this should be done on a case by case basis because every case is different.

16. Buzz Becker, of Hexagon Energy, stated there is standard language in their lease option that the property owner should not bear any tax burden for the impact on the land. Councilor Reichert stated that this all came up due to a project on Snake Hill Road, where parcels were cleared and the road was dug up, but nothing has been built because there is no interconnection. Councilor Reichert noted that no consideration was given to the neighbors. B. Becker stated that his company gets confirmation before breaking ground.

William Bernstein, Assistant Town Solicitor, asked B. Becker if his company has had any experience with decibel levels generated by these projects. B. Becker replied that the standard equipment generates about the same amount of noise as an air conditioner outside a house. B. Becker stated that he is comfortable with 40 decibels.

17. Mike Recorvits spoke regarding the noise level. M. Recorvits stated that the panels don't make noise but, it's the inverters that convert the direct current to alternate current. M. Recorvits stated that the solar companies don't have a problem with keeping the decibel level at 40, so let's keep it at 40.

18. Councilor Burlingame stated that he has had several phone calls from people over time and he looked at the ordinance to see what prompted this. Councilor Burlingame explained that somebody's neighbor got a permit from DEM to clear the land before going to the Planning Board with his proposal and pushed the clearing right up to the neighbor's property, which was more acreage than he would need for the project. Councilor Burlingame stated that the Council then asked the Planning Board to go back and revisit the ordinance, which they did and improvements were made. Councilor Burlingame stated that feedback was received from landowners stating their concerns about the amendments to the ordinance.

Councilor Burlingame made the following recommendations:

- A. Increase the setbacks for the medium and large solar installations in the A-4 and A-3 zones under 200,000 sq. feet (approx. 1 megawatt systems) from 200 to 400 feet from all property lines.
- B. Allow utility scale solar installations in A-4 and A-3 zones up to 20 acres (approx. 5 megawatt system) with a setback of 500 feet from all property lines.
- C. Remove the prohibition on installing solar on soils classified as prime agricultural soil or soils of statewide importance. This could pertain to apple orchards or farms that are no longer active, but the land is considered prime agricultural and cannot be used for solar.
- D. Increase the amount of clearing on forested land from 20%, as proposed, to 30%.
- E. Keep the noise level allowed at the property line at 40 decibels currently in the ordinance rather than raising it to 55.

- F. Perhaps waive the setback requirements for solar facilities directly abutting each other or of different properties. Councilor Burlingame stated that this would be on a case by case basis and would give the Planning Board some flexibility.

Councilor Burlingame stated that he would like to put these suggestions forth to the Council for consideration. Councilor Burlingame stated that his major concern was regarding large agricultural parcels in the A-3 and A-4 zones and this would allow them to put systems in. Councilor Reichert referred to some of the systems in town that have been successful.

Councilor Reichert stated, when developing, that instead of clear-cutting right to the property line, there is something called shade-pruning, which allows more sunlight while preserving trees. Councilor Reichert stated that this should be mentioned in the ordinance, along with the interconnector approval prior to work being done. Councilor Reichert stated he has warned a lot of people to beware they can meet the requirements before they sign agreements with these companies. Councilor Reichert stated he agreed with Mr. Recorvits in regard to the fencing not being sufficient to block a child from getting into the field. Margery Swift stated that deer and jump a 6' fence and the fawns can get under a 16" space at the bottom.

Councilor Henry stated that she liked one point made by Mike Recorvits, that if the original buffer becomes compromised in any way, it must be replaced. Councilor Henry stated that she does not know how we would enforce it, but she feels it needs to be in the ordinance.

Councilor G. Steere stated that in the interest of full disclosure, his brother has a small system, put up approx. three years ago which is less than 1/10 of a megawatt. Councilor G. Steere stated his brother owns the solar installation, he does not lease the land. Councilor G. Steere noted that he is co-owner of the land. Councilor G. Steere stated that the company wanted to put it right next to the road because it would be easier and shorter to run the line, but Councilor G. Steere refused and said it had to be back next to the hay field. Councilor G. Steere stated that less than two (2) acres of trees were cut for the project. Councilor G. Steere noted that this was approved by Special Use Permit, along with a few others, before we had solar in the Zoning Ordinance. Councilor G. Steere stated that because it was so far off the road, it was approved with no screening. Councilor G. Steere stated that none of the neighbors complained. Councilor G. Steere stated that, he believes, the 400 foot setback is a benchmark where it is not "in your face". Councilor G. Steere stated that he has attended all of the Planning Board meetings and listened to testimony and he feels that setbacks are a big thing that will deal with the noise level as well. Councilor G. Steere stated he does not hear noise from his brothers system so he feels the noise decibels should be left as is as the setbacks will take care of that.

Councilor Reichert stated, also in full disclosure, that his was the first solar project that was approved in Gloucester, although it has not been installed. Councilor Reichert stated that he went through Planning Board and Zoning Board for approvals, and started clearing the land but stopped, temporarily, when National Grid stepped in regarding an interconnect agreement.

Councilor G. Steere stated his opinion that there are places where solar can fit and not be obnoxious to the neighbors. Councilor G. Steere stated he feels there are large parcels of land where you could put in a 20 acre, 4/5 megawatt system in and not even see it with possibly a 500 foot buffer. Councilor G. Steere stated the important thing is not to clear cut to your property line. Councilor G. Steere stated people moved here for quiet and have expectations of what they will have to see next to them. Councilor G. Steere stated that we (Council) have the chance to amend the ordinance before it is adopted. Councilor Burlingame suggested that the Council consider the recommendations and continue the hearing until the next meeting. Councilor Henry stated that the

recommendations brought forth by Councilor Burlingame fit in with our Comprehensive Community Plan,

Councilor G. Steere asked Lori DeSantis, Tax Assessor, if she is familiar with the dual use law passed by the State that was mentioned by Hannah Morini. L. DeSantis replied in the affirmative, stating that the land that the solar sits on will be taken out of open space, but anything else can stay in.

Councilor W. Steere stated that he has a large piece of property,(and no solar fields), of about 50 acres and according to current zoning he wouldn't be able to cover more than 4 1/2 acres or so. Councilor W. Steere stated he feels that we are balancing our environment versus property rights. Councilor W. Steere stated that people should be able to do things with their property as long as it does not negatively impact other people. Councilor W. Steere stated that setbacks are an important point but questioned if 100 feet (400-500') makes a big difference. Councilor W. Steere also questioned the hard cap of "up to or not more than 15%) when referring to property coverage. Councilor W. Steere stated that the Planning Board did a phenomenal job because this is not an easy subject that impacts people's lives. Councilor W. Steere spoke regarding the tax aspect, stating that usually what happens with this land is houses are built and taxes go up due to more children in the school system. Councilor W. Steere further stated that solar installations would be a revenue source, due to minimal services needed, for the Town. Councilor W. Steere stated that the Planning Board gave the Council the tools they need with this ordinance and thanked them and everyone present for their input.

MOTION was made by Councilor Burlingame to CONTINUE the Public Hearing until the next Town Council meeting (November 1, 2018); seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

VII. Consent Items - Discussion and/or action

- A. Town Council Meeting Minutes of October 4th, 2018
- B. Tax Assessor's Additions & Abatements - September 2018
- C. Finance Director's Report - September 2018
- D. Pole Grants
 - 1. Cooper Road - New Joint owned location
 - 2. Lost Acres Drive - New Solely owned

MOTION was made by Councilor Henry to APPROVE the Town Council Meeting minutes of October 4, 2018; to APPROVE the ADDITIONS to the 2018 Tax Roll in the amount of \$2,084.44; the ABATEMENTS to the 2018 Tax Roll in the amount of \$1,254.22, the 2018 supplemental Tax Roll in the amount of \$1,168.00, the 2017 Tax Roll in the amount of \$420.63; to ACCEPT the Finance Director's Report for September 2018, & to APPROVE the Pole Grant for #1. Cooper Road, a new joint owned location and #2. Lost Acres Drive, a new solely owned location; seconded by Councilor Burlingame.

Discussion: None.

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

MOTION PASSED

VIII. New Business

A. Boards & Commissions

1. Appointments

a. Zoning Board - Discussion and/or action

1. Alternate #1 - one year term to expire 1/2019

Councilor G. Steere stated that this position is vacant due to the previous Alternate #1 member being moved up to the regular vacant position. Councilor G. Steere stated that the Chair of the Zoning Board would like Council to move the Alternate #2 person, Raymond Lombardi, to the alternate #1 position.

MOTION was made by Councilor W. Steere to APPOINT Raymond Lombardi to the position of Zoning Board, Alternate #1 for a term to expire 1/2019; seconded by Councilor Reichert.

Discussion: None.

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

MOTION PASSED

2. Alternate #2 - one year term to expire 1/2019

Councilor G. Steere stated that the Chair has a recommendation for this position: Joseph Fogarty.

MOTION was made by Councilor Reichert to APPOINT Joseph Fogarty to the position of Alternate #2 on the Zoning Board of Review, for a term to expire 1/2019; seconded by Councilor Burlingame.

Discussion: None.

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

MOTION PASSED

B. Request from East Providence City Council: urging the creation of legislation regarding the time when residents may appeal property valuations- Discussion and/or action

Councilor G. Steere stated that the Council has received a note from the Tax Assessor stating she would like Council to support this resolution. Councilor G. Steere further stated that Tim Kane, Town Solicitor, spoke about it at the last meeting.

MOTION was made by Councilor Burlingame to APPROVE supporting the Resolution to create legislation regarding the time when residents may appeal property valuations; seconded by Councilor Henry.

Discussion: None.

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

MOTION PASSED

IX. Town Council Correspondence /Discussion

A. Councilor G. Steere stated that a letter was received from Dr. Harold Lancer offering to donate a half-acre of land on Lake Washington Drive to the town.

Councilor G. Steere noted that this offer was made previously but the Council did not respond. There was Council consensus to decline.

- B. Councilor G. Steere stated that correspondence was received from the RI League of Cities and Towns stating that they have selected a new electricity supplier, Constellation New Energy and Power Options. Councilor G. Steere stated that a meeting is scheduled for October 22, 2018 at 1:00 p.m. at the Trust office.
 - C. Councilor G. Steere stated that a request was received for the use of the Senior Center by the Horsley Whitten Group for a meeting of the Statewide Comprehensive Outdoor Recreation Plan focus group. Councilor G. Steere stated that this is not a Town organization. Councilor W. Steere stated that we might have to put this on the agenda at some point because the Senior Center is turning into a community center, which was not the original intent. Councilor Burlingame stated we do have a policy for use of the Center. Councilor Burlingame stated that we typically say no to night time uses because of the lack of night time janitorial help and to try to minimize the use of building. After much discussion, Councilor G. Steere stated that this group has nothing to do with the Town and we should respectfully decline the request. Councilor Burlingame stated that, as Council liaison to the Senior Center, he will take care of it.
 - C. Councilor G. Steere stated that a request was received from the Parade Committee to use the Senior Center for a fund raiser. Councilor G. Steere stated that he would unlock and lock the center for the event because it is for the parade. Councilor Henry stated that she thought we were not doing it. Councilor W. Steere asked what kind of fund raiser is planned. Councilor G. Steere replied they plan to sell tickets for a psychic. The Clerk stated the parade committee is part of the town. Councilor G. Steere agreed that the Parade Committee is part of the Town. Councilor W. Steere noted that the Town is funding the parade and fireworks. Councilor Burlingame stated that he is okay with it. There was Councilor consensus.
 - D. Councilor G. Steere stated that he received a call from the president of the Gloucester Little League requesting a workshop with a couple of members of the Town Council to discuss future plans for the baseball fields. Councilor W. Steere stated he feels Gary Treml and Bob Shields could talk to the group first. Councilor W. Steere and Councilor G. Steere offered to attend, if needed.
 - E. Councilor W. Steere noted that the Scarecrow Festival was a success despite the rainy weather. Councilor W. Steere stated that it is a good event, as long as the committee continues to adhere to the rules set forth by the Council.
- X. Department Head Reports/Discussion
- A. Diane Brennan, Finance Director, stated that the employee who has been out on sick leave is expected to return on 10/31 but she would like to retain the intern, if he has available time, to work on certain projects. D. Brennan stated that he currently works about two (2) days per week and it has been working out well. Councilor Burlingame stated that he is okay with that because that office is swamped. D. Brennan stated that she would like the intern to set up a system for processing Police details so when a new clerk is hired, it will be ready. Councilor Henry stated this is already included in the budget. There was Council agreement.

- B. Gerald Mosca, EMA Director, reported that three (3) grants have been approved. G. Mosca stated that the first one is for one half of the EMA Director's salary, the second is a CERT grant for equipment and training, and the third is a Homeland Security grant to buy and install a new, larger generator at the Police Department.

Regarding the Homeland Security Grant: G. Mosca noted that the grant amount is \$113,000, with no match from the Town. Council thanked Mr. Mosca. Councilor G. Steere stated that the old generator will go to the schools so they can have water in an emergency. G. Mosca concurred, stating that the generator at the school does not run the well, and the Region has agreed to pay for the installation and engineering. G. Mosca stated that this will require Town Council approval. G. Mosca noted that the Region has a five-plan which includes a generator, but this will keep them up and running for now. Councilor Burlingame asked G. Mosca when he would like to have this on the agenda for approval. G. Mosca replied that he just received the hard copy of the grant approval and wants to get something in writing from the Region also. Councilor Burlingame asked if it would be ready for one of the November meetings. G. Mosca replied that he will try.

Regarding the grant for half the salary, Councilor W. Steere asked if it is a set amount. G. Mosca replied that he put in what the Council approved for next year's salary. The Council members thanked G. Mosca for his efforts.

XI. Bds. and Commissions Reports/Discussion
None.

XI. Open Forum
None.

XIV. MOTION was made by Councilor Reichert to ADJOURN at 10:00 p.m.; seconded by Councilor Burlingame.

Discussion: None.

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

MOTION PASSED