

**New Shoreham Town Council Meeting
Town Hall, Old Town Road, Block Island
Monday, August 02, 2010
7:00 p.m.**

Present: First Warden Kimberley H. Gaffett, Second Warden Raymond J. Torrey, Town Councilor Peter B. Baute, Town Councilor Kenneth C. Lacoste and Town Councilor Richard P. Martin. Also present was Town Manager Nancy O. Dodge. Town Clerk Fiona Fitzpatrick was present to take the minutes of the meeting.

Warden's Report: First Warden Gaffett reported PUC hearings continue to be received via the Polycom system at the School. Amy Land received her GFOA Certification, she now holds the distinction of being a Public Finance Officer. Mark Emmanuelle asked that the rental moped helmet law be enforced, and that riders of all rental mopeds be directed to wear helmets. First Warden Gaffett said enforcement has been ongoing, and the Council reiterated their directive to the Town Manager to direct the Police Chief to rigorously enforce the requirement that riders of rental mopeds wear helmets.

1. Receive and act on DEM request re: deer hunting on state lands January 9 - 15, 2011

Town Manager Nancy O. Dodge reported DEM Director Sullivan responded to the high deer count and local concerns about the deer herd by requesting the Town consider a trial weekend hunt this January and by allowing hunting on state land the week of January 9 through 15, 2011. She said the DEM would like an answer soon because the dates would be included in the hunting abstracts. Director Sullivan specifically said the proposal is a trial effort, and not binding or precedent setting and conservation officers will be on site.

It was thought the only state owned parcel appropriate for hunting is Black Rock. The Town holds an easement on the property. The rules of the trial hunt will be addressed under a Memorandum of Understanding between the Town and DEM.

Deer Task Force Chair Mary Sue Record and members Margaret Komosinski, Rebecca Ballard and Christopher Blane were present. The DTF's first priority is safety, their second a productive hunt. They met earlier in the day and voted to recommend several conditions on the proposal to hunt the Black Rock property:

- Limited to Monday, January 10 through Saturday, January 15, 2010.
- Shotgun and muzzleloaders only, no archery
- A safe and reasonable limit of 20 hunters per day including at least five resident hunters
- Conservation officers on site each day of the hunt
- Property boundaries and access points posted
- Advertise the hunt

In discussion, the members of the DTF also requested that hunters check in daily at the Police Station and that the DEM report after the hunt with details of all accidents or incidents along with the numbers of enforcement officers, hunters and deer taken each day.

The First Warden said the concerns could be addressed in the MOU. Mr. Martin suggested asking the neighbors and abutters how they feel about the process. The DEM has not said how they plan to select hunters. A request was made to stage a lottery on the Island. The MOU will be reviewed by the Town Council at a public meeting when it is received from the DEM.

The Council agreed not to open hunting Island-wide on Saturday, it will be limited to state property at Black Rock.

First Warden Gaffett moved to direct the Town Manager to contact the DEM to enter into a Memorandum of Understanding for hunting on state land at Black Rock January 10 through January 15, 2011 incorporating suggestions of the Deer Task Force that there be no more than 20 hunters on the property each day including five Block Island hunters, that state conservation officers be present each day of the hunt, that the area be posted and the hunt advertised, and that a report be made by the DEM after the hunt of the number of hunters, enforcement agents and deer taken along with a report of accidents and incidents. The motion was seconded by Mr. Torrey.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin)

Nays: 0

2. Receive report from James J. Geremia & Associates re: Sprague Farm, Inc. Closure Plan

Town Manager Dodge reported the review of the Sprague Farm closure plan was done by Jim Geremia as per the consent decree. This was to occur at three milestones: May 2010, May 2011 and May 2012. The first two phases are complete ahead of schedule. Mr. Geremia reports the erosion does not concern him and Joe Sprague will fix it when he can resume working at the pit on October 1. No action was needed or taken by the Town Council.

3. Set public hearing date: proposed amendment to Town of New Shoreham Zoning Ordinances to replace existing Section 315 Flood Control Overlay

First Warden Gaffett moved to hold a public hearing on September 15, 2010 to consider replacing Town of New Shoreham Zoning Section 315. Motion seconded by Dr. Baute.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

4. Approval of Loan Resolution for USDA Loan for Sewer Facility

The money will be used for upgrades to the electrics at the sewer facility. It is a loan for \$458,000 and a grant of \$338,000. No debt service payments will be made in the current fiscal year, but the loan/grant is structured to repay expenditures. The Town Council questioned how the initial expenditures will be made, given the Commission's cash flow situation. The Council agreed to attend the next Sewer Commission meeting for clarification.

Dr. Baute moved to table consideration to August 18, 2010, seconded by First Warden Gaffett.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

5. Boards, Committees, Commissions

- Act on Planning Board appointments

Second Warden Torrey moved to appoint Norris Pike to the Planning Board to fill the unexpired term of Neil Lang. The motion was seconded by Mr. Martin.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

- Act on additional appointments to Block Island 350 Committee

First Warden Gaffett moved to appoint Fran Migliaccio, Rita Draper, Betsy Barker, Zena Clark, Kari Curtis, Pam Gasner, Frasier Lang, Sharon Lehman, Terri McCombe, Kathy Szabo and George Dodge to the Block Island 350 Committee, seconded by Mr. Martin.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

6. Act on proposed ballot questions re: Town of New Shoreham Charter

A clarification was made to question #9. The resolution is attached to these minutes.

Ms. Gaffett moved to approve the resolution authorizing local questions for the November 2, 2010 ballot regarding changes to New Shoreham's Home Rule Charter. The motion was seconded by Dr. Baute.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

1. Correspondence: Joseph Noel re: Payne's Harbor View Inn Special Use Permit application

No action was needed or taken by the Town Council.

At 8:30, a motion to adjourn was made by Mr. Martin and seconded by Dr. Baute.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

Minutes approved August 18, 2010

Fiona Fitzpatrick
Town Clerk