

**New Shoreham Town Council Meeting**  
**Town Hall, Old Town Road**  
**Wednesday, November 17, 2010**  
**7:00 p.m.**

**Present:** First Warden Kimberley H. Gaffett, Council members Richard P. Martin, Peter B. Baute and Kenneth C. Lacoste. Also present were Town Manager Nancy Dodge and for the recording of minutes, Deputy Town Clerk Millicent McGinnes. Second Warden Raymond J. Torrey was absent.

First Warden Gaffett called the meeting to order at 7:00 p.m.

**Warden's Report**

First Warden Gaffett reported the following:

- The CRMC has postponed their decision regarding the Champlin's Marina expansion until their January meeting 1/24/2011.
- Planning consultant Phil Herr will be running a planning event on December 4, 2010 to discuss future plans for Plat 6, Lots 146 & 147. The public is encouraged to attend.
- Annual appointments will be conducted next month and there will be vacancies on the Shellfish Commission, Library Board of Trustees, Historic District Commission, the Recreation Board and possibly others. Interested parties should send a letter to the Town Council.

**Public Input**

From the audience, Verna Littlefield distributed a definition of Clerk of the Works and stated that it was irresponsible of the Town to have a Clerk of the Works on the Old Harbor Project that is not on island full time.

**Board of License Commissioners**

Ms. Gaffett convened the Council as the Board of License Commissioners at 7:07 p.m. Ms. Gaffett stated that the two new license applications on the agenda were not going to forward tonight. She explained that the request of Old Island Pub, Inc. was being continued because there was not a quorum of the Board of License Commissioners present and that Block Island Ventures, LLC had asked for a continuance, as the representatives could not get here because of the weather.

Mr. Lacoste made a motion to continue the new liquor license applications for Block Island Ventures, LLC and Old Island Pub, Inc. to December 16, 2010 at 2:00 p.m. Mr. Martin seconded the motion and it carried.

4 Ayes (Gaffett, Martin, Baute, Lacoste)      0 Nays              1 Absent (Torrey)

**Public Hearings**

**Public Hearing for Annual Beverage License Renewals**

**Class A Beverage**

MacLac Enterprises, Inc. Stock holders: Mark Helterline, Mary Jane Balser, d/b/a Block Island Grocery, Ocean Avenue

Mr. Martin recused, as his wife is an employee of MacLac Enterprises, Inc.

Mary Jane Balser was present representing MacLac Enterprises. Mr. Lacoste made a motion to renew a Class A Liquor License issued to MacLac Enterprises, Inc. d/b/a Block Island Grocery, pursuant to a site plan on file. Dr. Baute seconded the motion.

3 Ayes (Gaffett, Baute, Lacoste) 0 Nays 1 Recused (Martin) 1 Absent (Torrey)

Redbird Liquor Store, Inc. Stockholder: Caroline Todd, d/b/a Redbird Liquor Store, Dodge Street

Mr. Martin returned to the table.

Carrie Todd was present representing Redbird Liquor Store, Inc. Dr. Baute moved to renew a Class A Liquor License issued to Red Bird Liquor Store, Inc. pursuant to a site plan on file. The motion was seconded by Mr. Martin.

4 Ayes (Gaffett, Martin, Baute, Lacoste)      0 Nays              1 Absent (Torrey)

**Class T Beverage**

Empire Theatre, Inc. Stockholder: Gary Pollard, d/b/a Empire Theatre, Water Street  
Renee Meyers was present representing Empire Theatre, Inc. Dr. Baute moved to renew a Class T Liquor License issued to Empire Theatre, Inc. pending receipt of a Certificate of Good Standing from the Division of Taxation, pursuant to a site plan on file and to grant permission to remain closed from December 1, 2010 to March 15, 2011 and October 15, 2011 to November 30, 2011 and to further require the correction of any fire code violations. The motion was seconded by Mr. Lacoste.

4 Ayes (Gaffett, Martin, Baute, Lacoste) 0 Nays 1 Absent (Torrey)

**Class BM Beverage**

Offshore Trading Company, Inc. Stockholder: Mike Finnimore d/b/a Mohegan Café, Water Street

Zena Clark was present representing Offshore Trading Company. Mr. Lacoste moved to renew a Class BM Liquor License issued to Offshore Trading Co. d/b/a the Mohegan Café, pursuant to a site plan on file, and to grant permission to remain closed from December 1, 2010 to March 1, 2011 and November 1, 2011 to November 30, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Dr. Baute.

4 Ayes (Gaffett, Martin, Baute, Lacoste) 0 Nays 1 Absent (Torrey)

**Class BVL Beverage**

Bethany Campbell Coviello, d/b/a Bethany's Airport Diner, Center Road

Bethany Campbell Coviello was present. Dr. Baute moved to renew a Class BVL Liquor License issued to Bethany Campbell Coviello d/b/a Bethany's Airport Diner, pending receipt of Certificate of Good Standing from the Division of Taxation, and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Lacoste.

4 Ayes (Gaffett, Martin, Baute, Lacoste) 0 Nays 1 Absent (Torrey)

Pizza Plus of Block Island, Inc. Stockholders: Stephen E. Papa, Stephen N. Papa, Christina Papa & Anna Papa, d/b/a Papa's Pizza, Corn Neck Road

Steve Papa was present. Dr. Baute moved to renew a Class BVL Liquor License issued to Pizza Plus of Block Island, Inc. d/b/a Papa's Pizza, pending receipt of Certificate of Good Standing from the Division of Taxation, and to grant permission to remain closed from December 1, 2010 to March 15, 2011 and October 15, 2011 to November 30, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Martin.

4 Ayes (Gaffett, Martin, Baute, Lacoste) 0 Nays 1 Absent (Torrey)

Payne's Harbor View Inn, LLC, Member: Carole Payne, d/b/a Payne's Harbor View Inn, Beach Avenue

Attorney Scott Spear and Carole Payne were present representing Payne's Harbor View Inn, LLC. Mr. Lacoste moved to renew a Class BVL Liquor License issued to Payne's Harbor View Inn, LLC d/b/a Payne's Harbor View Inn, pursuant to a site plan on file, pending receipt of a Certificate of Good Standing from the Division of Taxation and payment of the license fee, and to grant permission to remain closed from December 1, 2010 to March 1, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Dr. Baute.

4 Ayes (Gaffett, Martin, Baute, Lacoste) 0 Nays 1 Absent (Torrey)

**Class BV Beverage**

Rita Draper, d/b/a 1661 Inn, Spring Street

Steve Draper was present representing Rita Draper. Mr. Martin moved to renew a Class BV Liquor License issued to Rita Draper d/b/a the 1661 Inn pursuant to a site plan on file, and to grant permission for dancing and to remain closed from December 1, 2010 to May 15, 2011 and October 12, 2011 to November 30, 2011 and to further require the

correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Lacoste.

4 Ayes (Gaffett, Martin, Baute, Lacoste) 0 Nays 1 Absent (Torrey)

LBN, Inc. Officers: Matthew Nyberg, Michelle Nyberg & Beth Nyberg d/b/a The Albion Pub, Ocean Avenue

Jen Seebeck was present representing LBN, Inc. Dr. Baute made a motion to renew a Class BV Liquor License issued to the LBN, Inc. d/b/a the Albion Pub pursuant to a site plan, pending receipt of a Certificate of Good Standing from the Division of Taxation and to grant permission for dancing and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. Mr. Lacoste seconded and the motion carried.

4 Ayes (Gaffett, Martin, Baute, Lacoste) 0 Nays 1 Absent (Torrey)

Aldo's Place, Inc. Stockholders: Stephen E. & Anna R. Papa, d/b/a Aldo's Restaurant and Pizza, Weldon's Way

Steve Papa was present representing Aldo's Place, Inc. Mr. Martin moved to renew a Class BV Liquor License issued to Aldo's Place, Inc. d/b/a Aldo's Restaurant and Pizza, pursuant to a site plan on file, and to grant permission for dancing and to remain closed from December 1, 2010 to April 1, 2011 and from October 15, 2011 to November 30, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Lacoste.

4 Ayes (Gaffett, Martin, Baute, Lacoste) 0 Nays 1 Absent (Torrey)

A.B.M., Inc. Stockholders: Bradford Marthens, d/b/a The Atlantic Inn, High Street

Megan Wargo was present representing ABM, Inc. Mr. Martin moved to renew a Class BV Liquor License issued to ABM, Inc. d/b/a Atlantic Inn, pursuant to a site plan on file, and to grant permission to remain closed from December 1, 2010 to May 1, 2011 and from November 1, 2011 to November 30, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Lacoste.

4 Ayes (Gaffett, Martin, Baute, Lacoste) 0 Nays 1 Absent (Torrey)

Shoreham, Inc. Stockholder: Marion Filippi, d/b/a Ballard's Inn, Water Street

Sharon Catera was present representing Shoreham, Inc. Mr. Martin moved to renew a Class BV Liquor License issued to Shoreham, Inc. d/b/a Ballard's Inn, pursuant to a site plan on file, and to grant permission for dancing and to remain closed from December 1, 2010 to May 1, 2011 and from October 20, 2011 to November 30, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Lacoste.

4 Ayes (Gaffett, Martin, Baute, Lacoste) 0 Nays 1 Absent (Torrey)

Beachead II, LLC Members: Norman Ward, Kimberly Ward, Rebecca Clark & Timothy Clark d/b/a The Beachead, Corn Neck Road

Norman Ward was present representing Beachead II. Dr. Baute moved to renew a Class BV Liquor License issued to Beachead II, LLC d/b/a Beachead pursuant to a site plan on file, and to grant permission for dancing and to remain closed from December 1, 2010 to May 15, 2011 and September 15, 2011 to November 30, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Martin.

4 Ayes (Gaffett, Martin, Baute, Lacoste) 0 Nays 1 Absent (Torrey)

On-Island Entertainment Management, Inc. Stockholder: Marc Scortino, d/b/a Captain Nick's, Ocean Avenue

Zena Clark was present representing On-Island Entertainment Management, Inc. Mr. Martin moved to renew a Class BV Liquor License issued to On-Island Entertainment

Management, Inc. d/b/a Captain Nick's pursuant to a site plan on file, pending receipt of a Certificate of Good Standing from the Division of Taxation and to grant permission for dancing and to remain closed from December 1, 2010 to May 1, 2011 and from November 1, 2011 to November 30, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Lacoste.

4 Ayes (Gaffett, Martin, Baute, Lacoste)      0 Nays      1 Absent (Torrey)

Champlin's Trader Vic's, Inc. Stockholder: Joseph Grillo and Susan Grillo, d/b/a Champlin's Trader Vic's, Champlin's Marina, West Side Road

Chris Hobe was present representing Champlin's Trader Vic's. Dr. Baute noted that there were a number of noise complaints against the business, including a letter from Erik and Christina Elwell. He questioned what the plan was to address noise in the future. Mr. Hobe stated that will "make it his mission to address noise issues" and will make his phone number available to the Police Department. He further stated that he will address complaints immediately and will work closely with the Chief of Police. Police Chief Carlone stated the Champlin's cooperates with the Department and he noted that it is difficult to measure noise there, as the noise travels across the pond from other boats and locations. Mr. Lacoste stated that Champlin's staff must have a proactive outlook and not allow music to go up to the level of complaints. Dr. Baute asked the Police Chief to be vigilant in enforcement.

Mr. Lacoste moved to renew a Class BV Liquor License issued to Champlin's Trader Vics, Inc. d/b/a Champlin's Trader Vics pursuant to a site plan on file, and to grant permission for dancing and to remain closed from December 1, 2010 to April 30, 2011 and from October 31, 2011 to November 30, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Martin.

4 Ayes (Gaffett, Martin, Baute, Lacoste)      0 Nays      1 Absent (Torrey)

Club Soda, Inc. Stockholders: Maxon Balmforth, Jr. & Glenn McKiernan, d/b/a Club Soda / Highview, Connecticut Avenue

Maxon Balmforth was present representing Club Soda. Dr. Baute moved to renew a Class BV Liquor License issued to Club Soda, Inc. d/b/a Club Soda pursuant to a site plan on file, pending receipt of the license fee and a Certificate of Good Standing from the Division of Taxation, and to grant permission for dancing and to remain closed from March 1, 2011 to March 15, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Lacoste.

4 Ayes (Gaffett, Martin, Baute, Lacoste)      0 Nays      1 Absent (Torrey)

Island Caterers, Inc. Stockholders: John P. & Adam Wronowski, Est. of Burke & Patricia Hewitt, Raymond & Susan Linda, Thomas & Mary Ellen Tyrseck, d/b/a Dead Eye Dick's Restaurant, Ocean Avenue

Howell Conant was present representing Island Caterers. Mr. Martin moved to renew a Class BV Liquor License issued to Island Caterers, Inc. d/b/a Dead Eye Dick's Restaurant pursuant to a site plan on file, and to grant permission for dancing and to remain closed from December 1, 2010 to May 26, 2011 and from October 15, 2011 to November 30, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Dr. Baute.

4 Ayes (Gaffett, Martin, Baute, Lacoste)      0 Nays      1 Absent (Torrey)

Eli's Restaurant, Inc. Stockholders: Bradford G. Marthens & Edward Y. Moon, d/b/a Eli's Restaurant, Chapel Street

Evan Wargo was present representing Eli's Restaurant. Dr. Baute moved to renew a Class BV Liquor License issued to Eli's Restaurant pursuant to a site plan on file, pending receipt of a Certificate of Good Standing from the Division of Taxation and to grant permission to remain closed from December 1, 2010 to April 1, 2011 and

November 19, 2011 to November 30, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Martin.

4 Ayes (Gaffett, Martin, Baute, Lacoste)      0 Nays              1 Absent (Torrey)

Ernie's Old Harbour Restaurant, Inc. Stockholders: Frederick & Deborah Howarth, F. Jason Howarth, d/b/a Finn's Seafood Restaurant, Water Street

Deborah Howarth was present representing Ernie's Old Harbour Restaurant. Mr. Lacoste moved to renew a Class BV Liquor License issued to Ernie's Old Harbor Restaurant, Inc. d/b/a Finn's Seafood Restaurant pursuant to a site plan on file, and to grant permission to remain closed from December 1, 2010 to May 26, 2011 and from October 11, 2011 to November 30, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Martin.

4 Ayes (Gaffett, Martin, Baute, Lacoste)      0 Nays              1 Absent (Torrey)

Over Easy, Inc. Stockholders: Gary Censorio, Rich Tretheway, d/b/a G. R. Sharky's, Corn Neck Road

Rich Tretheway was present representing Over Easy. Mr. Lacoste moved to renew a Class BV Liquor License issued to Over Easy, Inc. d/b/a G.R. Sharky's pursuant to a site plan on file, pending receipt of payment of the license fee, and to grant permission for dancing and to remain closed from December 1, 2010 to May 15, 2011 and from October 15, 2011 to November 30, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Martin.

4 Ayes (Gaffett, Martin, Baute, Lacoste)      0 Nays              1 Absent (Torrey)

Harborside Operating Co., Inc. Stockholders: Vincent Promuto, Vaux Promuto Finnimore, Michael Finnimore, Patrick Hoey, d/b/a Harborside Inn, Water Street

Zena Clark was present representing Harborside Operating Company. Mr. Martin moved to renew a Class BV Liquor License issued to Harborside Operating Company, Inc. d/b/a the Harborside Inn pursuant to a site plan on file and to grant permission to remain closed from December 1, 2010 to April 1, 2011 and from October 15, 2011 to November 30, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Dr. Baute.

4 Ayes (Gaffett, Martin, Baute, Lacoste)      0 Nays              1 Absent (Torrey)

Steve Draper d/b/a Hotel Manisses, Spring Street

Steve Draper was present. Mr. Martin moved to renew a Class BV Liquor License issued to Steve Draper d/b/a Hotel Manisses pursuant to a site plan on file, and to grant permission for dancing and to remain closed from December 1, 2010 to May 15, 2011 and from October 12, 2011 to November 30, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Lacoste.

4 Ayes (Gaffett, Martin, Baute, Lacoste)      0 Nays              1 Absent (Torrey)

Island Pond, Inc. Stockholders: Clif Payne & Edward Sands Payne, Ocean Avenue

Clif Payne was present representing Island Pond. Dr. Baute moved to renew a Class BV Liquor License issued to Island Pond pursuant to a site plan on file, pending receipt of Certificate of Good Standing from the Division of Taxation, and to grant permission to remain closed from December 1, 2010 to June 10, 2011 and from September 20, 2011 to November 30, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Lacoste.

4 Ayes (Gaffett, Martin, Baute, Lacoste)      0 Nays              1 Absent (Torrey)

Lesley J. Boutin, d/b/a McNamara's, Ocean Avenue

Leslie Boutin was present representing McNamara's. Mr. Martin moved to renew a Class BV Liquor License issued to Lesley J. Boutin d/b/a McNamara's pursuant to a site plan on file pending receipt of a Certificate of Good Standing from the Division of Taxation and payment of the license fee and to grant permission for dancing and to remain closed from January 5, 2011 to March 15, 2011, and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Dr. Baute.

4 Ayes (Gaffett, Martin, Baute, Lacoste)      0 Nays      1 Absent (Torrey)

Coastal Resorts International, Inc. Stockholders: Chris & Jackie Sereno, d/b/a The National Hotel, Water Street

Julie Fuller was present representing the National Hotel. Mr. Martin moved to renew a Class BV Liquor License issued to Coastal Resorts International, Inc. d/b/a the National Hotel pursuant to a site plan on file, and to grant permission to remain closed from December 1, 2010 to May 1, 2011 and from October 31, 2011 to November 30, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Lacoste.

4 Ayes (Gaffett, Martin, Baute, Lacoste)      0 Nays      1 Absent (Torrey)

Humphries, Inc. Stockholders: Justin Abrams, Steve & Rita Draper, d/b/a The Oar, West Side Road

Steve Draper was present representing Humphries, Inc. Dr. Baute moved to renew a Class BV Liquor License issued to Humphries, Inc. d/b/a the Oar, pursuant to a site plan on file and to grant permission for dancing and to remain closed from December 1, 2010 to June 1, 2011 and from October 1, 2011 to November 30, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Martin.

4 Ayes (Gaffett, Martin, Baute, Lacoste)      0 Nays      1 Absent (Torrey)

Liza, Inc. Stockholders: Justin Abrams, Steve & Rita Draper, d/b/a Smuggler's Cove, Ocean Avenue

Steve Draper was present representing Liza, Inc. Dr. Baute moved to renew a Class BV Liquor License issued to Liza, Inc. d/b/a Smugglers Cove pursuant to a site plan on file, and to grant permission for dancing and to remain closed from December 1, 2010 to July 1, 2011 and from September 1, 2011 to November 30, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Martin.

4 Ayes (Gaffett, Martin, Baute, Lacoste)      0 Nays      1 Absent (Torrey)

Island Entertainment, Inc. Stockholder: Frank DiBiase, Jr., d/b/a Spring House Hotel, Spring Street

David Houseman was present representing Island Entertainment. It was noted that there were noise complaints made against the Spring House Hotel, including an email from the Rose Farm Inn dated 10/2/2010, a letter from the same dated 9/9/2003 and a letter from a patron of the Rose Farm Inn dated 9/14/2010. It was further noted that the majority of the problems seems to stem from the parking area on Martini Nights. Dave Houseman stated that he was not made aware of any complaints. Police Chief Carlone stated that he has worked with the Rose Farm Inn and the Spring House Hotel to address complaints, which in the past included a police detail in the parking lot. It was suggested that the detail be reinstated next summer.

Ms. Gaffett reminded people to call the police with noise complaints so they are documented going forward.

Dr. Baute moved to renew a Class BV Liquor License issued to Island Entertainment, Inc. d/b/a Spring House Hotel pursuant to a site plan on file, pending receipt of a Certificate of Good Standing from the Division of Taxation and to grant permission for dancing and to remain closed from December 1, 2010 to March 1, 2011 and November 1,

2011 to November 30, 2011, and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Martin.

4 Ayes (Gaffett, Martin, Baute, Lacoste) 0 Nays 1 Absent (Torrey)

Sunset Lounge, Inc. Stockholder: Eleanor Mott, d/b/a Sunset Lounge, Ocean Avenue  
Jim Mott was present representing Sunset Lounge. Mr. Lacoste moved to renew a Class BV Liquor License issued to Sunset Lounge, Inc. d/b/a Sunset Lounge pursuant to a site plan on file, pending receipt of a Certificate of Good Standing from the Division of Taxation, and to grant permission for dancing and to remain closed from December 1, 2010 to April 15, 2011 and November 1, 2011 to November 30, 2011, and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Mr. Martin.

4 Ayes (Gaffett, Martin, Baute, Lacoste) 0 Nays 1 Absent (Torrey)

Block Island Sales Corp. Stockholders: Kristen Kiley, R. Michael Kiley, Melissa Kiley, Allison Nasin, d/b/a Yellow Kittens, Corn Neck Road

Michael Kiley was present representing Block Island Sales Corp. Mr. Martin moved to renew a Class BV Liquor License issued to Block Island Sales Corp. d/b/a Yellow Kittens pursuant to a site plan on file, pending receipt of the license fee, and to grant permission for dancing and to remain closed from January 3, 2011 to March 15, 2011 and to further require the correction of any fire code violations and that food be available at a sandwich level, as opposed to offering solely snack foods, during all times alcoholic beverages are sold. The motion was seconded by Dr. Baute.

4 Ayes (Gaffett, Martin, Baute, Lacoste) 0 Nays 1 Absent (Torrey)

#### **New Beverage Licenses**

**Class C License- Old Island Pub, Inc., Stockholder: Lewis H. Gaffett, d/b/a Profiles Conference Center, Corn Neck Road, Plat 5, Lot 10**

This hearing was continued to December 16, 2010 earlier in the meeting.

**Class BV License- Block Island Ventures, LLC, Members: Joseph Vita, Patrick Casey, James Lawrence & Daniel Ronald Winters, d/b/a The Surf Hotel, Dodge Street, Plat 6, Lots 138, 142 & 143**

This hearing was continued to December 16, 2010 earlier in the meeting.

#### **Set Caps on Beverage Licenses**

Mr. Lacoste made a motion to table setting the caps on liquor licenses to December 16, 2010 at 2:00 p.m. Mr. Martin seconded the motion and it carried.

4 Ayes (Gaffett, Martin, Baute, Lacoste) 0 Nays 1 Absent (Torrey)

#### **Renewal of Outdoor Entertainment Licenses**

Mr. Martin asked that police officers be aware of noise issues and address them at the time they occur. Chief Carlone stated that they do and will continue with the process. Mr. Lacoste asked that amplifiers are turned in towards the crowd.

Mr. Martin made a motion to grant the renewal of outdoor entertainment licenses in accordance with the Town of New Shoreham ordinances and the applications on file, to the following applicants:

- Rita Draper, d/b/a 1661 Inn
- LBN, Inc., d/b/a Albion Pub
- Aldo's Place, Inc., d/b/a Aldo's Restaurant and Pizzeria
- ABM, Inc., d/b/a The Atlantic Inn
- Shoreham, Inc., d/b/a Ballard's Inn
- Beachhead II, LLC, d/b/a The Beachhead
- On-Island Entertainment Management, Inc., d/b/a Captain Nick's
- Champlin's Trader Vic's, Inc., d/b/a Champlin's Trader Vic's
- Ernie's Old Harbor Restaurant, Inc., d/b/a Finn's Seafood Restaurant
- Harborside Operating Co., Inc. d/b/a Harborside Inn
- Steve Draper d/b/a Hotel Manisses

- Coastal Resorts International, Inc., d/b/a National Hotel
- Rita Draper, d/b/a The Oar
- Island Entertainment, Inc., d/b/a The Spring House Hotel
- Rosalie O'Brien Kivlehan, d/b/a The Sullivan House

Dr. Baute seconded the motion and it carried.

4 Ayes (Gaffett, Martin, Baute, Lacoste) 0 Nays 1 Absent (Torrey)

**Extended Hours for the Sale of Alcoholic Beverages**

Island Caterers, Inc. Stockholders: John P. & Adam Wronowski, Est. of Burke & Patricia Hewitt, Raymond & Susan Linda, Thomas & Mary Ellen Tyrseck, d/b/a Dead Eye Dick's Restaurant, Ocean Avenue

Shoreham, Inc. Stockholder: Marion Filippi, d/b/a Ballard's Inn, Water Street

Sharon Catera was present representing Shoreham, Inc. No one was present representing Island Caterers, Inc.

Dr. Baute made a motion to deny the requests of Island Caterers, Inc. and Shoreham, Inc. for extended hours for the sale of alcoholic beverages. Ms. Gaffett seconded the motion and it carried.

4 Ayes (Gaffett, Martin, Baute, Lacoste) 0 Nays 1 Absent (Torrey)

From the audience, Cindy Lasser thanked the Board for keeping liquor service hours at 1:00 a.m., noting that it has helped with downtown noise issues.

The Board of License Commissioners adjourned and the Council took a five minute recess.

**Receive Update from Deepwater Wind**

Paul Rich and Bryan Wilson were present representing Deepwater Wind. Paul Rich presented the following update:

- The Economic Development Corporation held a wind summit which he felt reinforced the viability of the industry.
- The spar buoy which is to collect offshore wind and avian data, was not deployed on the first attempt, as it was not performing to engineers specifications.
- Negotiations with National Grid have begun to permit, design and construct the cable. National Grid will own the cable.
- The Department of Energy loan guarantee application will be submitted by the end of December.
- The newly elected Attorney General will withdraw the appeal against the PUC's decision to approve the offshore windfarm.

**Interstate Navigation: Receive and Act on Compliance Filing – Docket 3762, and Associated Procedural Calendar**

First Warden Gaffett stated that the current Interstate Navigation rate agreement allows for a CPI increase, which is 1.2%. She noted that the increase will not affect commuter rates, freight rates or commuter car rates. She explained that the item was on the agenda for informational purposes only and no action was necessary.

**Receive Town Manager Update on Old Harbor Dock Project**

Town Manager Dodge reported the following:

- The contractor began driving sheet piles on the western side of the dock. They will fill in behind the pilings as they go.
- The work is proceeding on schedule.
- Some of the boulders from Old Harbor will be used in restoration work along Corn Neck Road. Applications to the CRMC for the restoration will be forthcoming.

**Receive and Act on Historic District Commission Letter re: Meeting Schedule**

Ms. Gaffett noted that the Historic District Commission has requested a meeting with the Town Council to discuss the sign ordinance. It was decided that the Council will attempt

to attend HDC's January meeting. Ms. Gaffett suggested also discussing membership and legislative needs with the Commission at that time.

**Receive TNS Police Department Monthly Report: October 2010**

Ms. Gaffett made a motion to accept the TNS Police Report for the month of October 2010. Mr. Martin seconded the motion and it carried.

4 Ayes (Gaffett, Martin, Baute, Lacoste)    0 Nays    1 Absent (Torrey)

It was noted that the moped safety group will report back and make recommendations at the December 15, 2010 meeting.

**Set Public Hearing Date for Proposed Amendment to the TNS Ordinances: Article IV Fishing, Sections 9-121 through 9-135**

Ms. Gaffett made a motion to set a public hearing date of January 19, 2011 for ordinance amendments Article IV Fishing, Sections 9-121 through 9-135 for January 19, 2011. Mr. Martin seconded the motion and it carried.

4 Ayes (Gaffett, Martin, Baute, Lacoste)    0 Nays    1 Absent (Torrey)

**Public Input Continued**

Ms. Gaffett and the Council thanked Deputy Clerk McGinnes for her work in making the liquor hearing process smooth.

The December Town Council work session was set for Wednesday, December 8, 2010 at 4:00 p.m.

With no further business to discuss, Mr. Martin made a motion to adjourn at 8:40 p.m. The motion was seconded by Mr. Lacoste and carried unanimously.

Millicent McGinnes, CMC  
Deputy Town Clerk

Submitted:    December 6, 2010  
Approved:    December 15, 2010