

**New Shoreham Town Council Meeting  
Town Hall, Old Town Road, Block Island  
Monday, February 07, 2011  
7:00 p.m.**

**Present:** First Warden Kimberley H. Gaffett, Second Warden Raymond J. Torrey, Councilor Peter B. Baute and Town Councilor Richard P. Martin. Councilor Kenneth C. Lacoste was absent due to illness. 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 the CRMC has not yet handed down the written decision on Champlin's Marina, but Champlin attorney Robert Goldberg has filed their appeal. Also, the Town Council prepared and served the Lunch Bunch Tuesday, a good time in spite of the weather and warm thanks were received. In response to a question, the Town Manager reported the Town has engaged a surveyor to determine the location of the terminus of Cooneymus Road. The location and extent of the clearing will be settled when the road is located.

**1. Set public hearing dates**

- Proposed amendment to New Shoreham General Ordinances Chapter 9 Article IV Fishing ("The Shellfish Ordinance") Sections 122-148
- Proposed amendments to New Shoreham Zoning Ordinances Sections 202 Definitions, Section 311 Old Harbor Commercial Zone, Section 319 Planned Development Zone, add a new section 424 (under criteria for special use permits) Electron Game Machines

First Warden Gaffett moved to hold public hearings for both ordinances on March 7, 2011, seconded by Second Warden Torrey.

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

**2. Receive and act on update from the Old Harbor Task Group re: plans for Esta's Park**

Old Harbor Task Group Chair Margie Comings reported and answered questions about a concept plan for the park. Plan is attached to these minutes. The park will have water and electric hookups. No bids were received after the first solicitation. The concept plan was modified slightly and several bids were received in the second round. Bidding, permitting and contracts are being reviewed and coordinated by the Town Manager. CRMC approval has been obtained and the building permit should be issued by next week

Ms. Gaffett moved to approve the Esta's Park plan as shown and described at this meeting and to authorize the Town Manager to sign any contracts required. Motion seconded by Mr. Torrey.

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

**3. Report on progress addressing Deer Task Force recommendations re: Black Rock Joint Management agreement, hunting on USF&W lands, hunting liability concerns**

First Warden Gaffett reported she and the Town Manager have been working with representatives of US Fish and Wildlife (Charles Vandemoer) and the RI Department of Environmental Management (Cathy Sparks) regarding the Black Rock joint management agreement, hunting on US Fish and Wildlife lands and hunting liability concerns. The latest round of meetings postponed due to the inclement weather have been rescheduled. Ms. Gaffett has discussed hunting liability with Senator Sosnowski. If weather permits the scheduled meetings, there will be a report at the next meeting.

**4. Boards, Committees and Commissions:**

- receive and act on Douglas Gasner's letter of resignation from the Library Board of Trustees

Dr. Baute moved to accept the resignation and directed the Clerk to send a letter of thanks. Motion seconded by Mr. Torrey.

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

- announce all pending Board, Committee and Commission vacancies

Ms. Gaffett announced vacancies on the Historic District Commission, Juvenile Hearing Board Library Board of Trustees, North Light Commission (alternate position), Planning Board Recreation Board (alternate position), Senior Advisory Board and the BI Health Services Board (liaison to Town Council). She announced positions are coming up for annual renewal on the Board of Canvassers (2 alternate positions in March), Sewer District Commission (1 full member, 2 alternates in May) and Water District Commission (1 full member, 2 alternates in May). No action was needed or taken.

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

Ms. Gaffett announced Henry Hill has resigned as the Town Council liaison to the Block Island Health Services Board. She moved to accept his resignation and to send a letter of thanks, seconded by Mr. Martin.

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

**5. Receive and act on annual reports:**

- Block Island Housing Board
- Block Island Rescue Squad
- Dept. of Building Inspection/Office of the Building Official

Brief discussion ensued. There were 79 bike and moped accidents, slightly more than last year. There were questions regarding location and dates of accidents. Council wanted to compare this year's building numbers with last year's.

First Warden Gaffett moved to accept annual reports with request for follow up, seconded by Second Warden Torrey.

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

**6. Review upcoming Town Council meeting schedule**

Work session February 9, meetings February 16 and March 7, work session March 9. Budget meeting schedule will be discussed at the next work session.

**7. Minutes: December 15, 2010, December 16, 2010, January 5, 2011(open and closed), January 21, 2011, January 21, 2011 (open and closed), January 31, 2011**

Dr. Baute moved to approve the minutes of December 15, 2010, December 16, 2010, January 5, 2011(open only), January 21, 2011, January 21, 2011 (open and closed) and January 31, 2011 as amended. Motion seconded by Mr. Martin.

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

**8. Receive and act on update on Employees Union Contract Negotiation (This item was posted with the provision that it may be discussed in closed session pursuant to RIGL 42-46-5(a) (2) for discussions of collective bargaining)**

At 8:20 Ms. Gaffett moved to enter closed session pursuant to RIGL 42-46-5(a) (2) for discussion and action on collective bargaining. Motion seconded by Mr. Martin.

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

At 8:40, Ms. Gaffett moved to adjourn the closed session and to keep the minutes of the discussion of collective bargaining sealed, seconded by Mr. Torrey.

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

Ms. Gaffett reported one motion was made during the closed session as follows:

Dr. Baute moved to amend and approve the sealed closed session minutes of January 5, 2011 pertaining to contract negotiations, seconded by Mr. Torrey.

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

**9. Discussion of Town Manager evaluation (This item may be discussed in closed session pursuant to RIGL 42-46-5(a) (1) for discussions pertaining to job performance)**

At 8:40 Ms. Gaffett moved to enter closed session pursuant to RIGL 42-46-5(a) (1) for discussions pertaining to job performance. The motion was seconded by Mr. Torrey.

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

Council members discussed and compiled the Town Manager's evaluation.

At 9:15, Ms. Gaffett moved to adjourn the closed session discussion of the Manager's evaluation under 42-46-5(a)(1). The motion was seconded by Mr. Torrey.

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

First Warden Gaffett reported no motions were made during the closed session discussion of the Manager's evaluation.

At 9:15, Mr. Martin moved to adjourn, seconded by Dr. Baute.

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

Minutes approved March 16, 2011

Fiona Fitzpatrick  
Town Clerk