

New Shoreham Town Council Minutes
Town Hall, Old Town Road, Block Island
Monday, July 2, 2012
7:00 p.m.

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

First Warden Kimberley H. Gaffett called the meeting to order at 7:00.

Warden's Report

The First Warden reported Boy Scouts planted dune grass for stabilization in Old Harbor. Mayor Flaherty of Fall River presented First Warden Gaffett a key to his city when he got off the Fall River-Block Island ferry on June 23. Fall River official thought the three hour round trip trial was a success; they will proceed with a feasibility study.

Public Input

Chris Blane reported people parking on West Side Road across from the Narragansett Inn force pedestrians into the street. He also suggested the Corn Neck Road crosswalk at mosquito beach could be protected by moving the no parking sign south.

1. Report on public safety preparations for the July 4 celebration holiday

Chief Carlone reported. The state police at the Fusion Center are monitoring electronic chatter by targeting key words like "Block Island/drunk." They are responding with messages about the law against alcohol on the beach and the increased police presence. Interstate and the Town will post informational notices on their websites. Thirteen state troopers and the RI DMAT medical team will be on Island July 4. Pamphlets will be handed out at the ferry all this week. The Rescue Squad made arrangements with Greenwood Fire Apparatus for the donation of an ambulance for the summer.

2. Receive and act on Deer Task Force letter re: request for clarification of allowed weapon use during the shotgun hunting portion of BI's deer hunting season

Deer Task Force members Mary Sue Record and Chris Blane were present. Ms. Gaffett said the Deer Task Force has asked for a clarification of whether archery weapons may be used during shotgun season. It appears that it archers may use "lesser weapons" including crossbows during the shotgun season on the mainland. The First Warden contacted the DEM to ask if this is true, and what would be needed to clarify that bow hunting is not allowed during shotgun season on Block Island. The Chief said his staff tells him two different styles of hunting on the same property will not work for safety. Chris Blane said archers do not wear enough blaze orange and their stealthy style of hunting makes them hard to see. Ms. Gaffett has asked the DEM for clarification of what the law actually says and what the Town will have to do to keep the seasons separate.

3. Discussion of extending the Moped Settlement Agreement (original date: Aug. 1, 1997)

John Leone was present for several moped rental establishments. The First Warden said the agreement has been renewed every five years. She asked those present to consider this a conceptual conversation to see what might be changed. She hopes the Council is ready to renew for another five years.

Mr. Martin says there is a problem identifying rental mopeds for helmet enforcement. He would like to see clearer identification.

John Leone said:

- the Spring Street 'S' turn signs have reduced accidents. He said the moped dealers have spend close to \$20,000 for signs and digital signs
- the Town should pass an ordinance requiring helmet use for all moped, rented or operator owned. His employees are required to wear helmets. He will be sure to wear a helmet.
- rental mopeds have large ID numbers on the front and back fenders
- the rental forms include a requirement to wear helmets, not drive after 8:00 p.m., and not drive on dirt roads
- the incidence of rental moped accidents has gone down.

A discussion of emissions ensued. Two-stroke engines are less efficient, more polluting, lighter and more powerful for their size. Mr. Leone said local moped dealers bought approximately 189 four-stroke engine mopeds in 2008 but they did not function well. He said the fleet now uses two-stroke mopeds with a muffler that includes a catalytic converter.

A discussion of fees ensued. Mr. Leone said in 2000 a moped could be rented for \$85 per day, now it would be approximately \$115. Dr. Baute noted suggested the license fees should be raised from \$40 per moped. Mr. Leone agreed a fee increase would be fair.

In a related discussion, Chief Carlone wants reflectors or reflector tape on all bicycle pedals. The Chief said his officers are all ordered to enforce the helmet law for rental mopeds.

The Council took no action at this time.

4. Receive and act on Kevin Hoyt Construction LLC letter re: OWTS repair schedule for Plat 8 lot 109 (J.T. Pinney)

No one was present for Mr. Pinney. Kevin Hoyt sent a letter describing his progress on Mr. Pinney's OWTS repair, proposing a new schedule and requesting fines be waived. The letter said he entered into an agreement with Mr. Pinney prior to June 22. He proposed the following deadlines:

- Prior to June 22: contact qualified designer
- July 6: soil evaluation completed
- Aug. 10: system design submitted to TNS
- Aug. 17: application submitted to RIDEM (subject to TNS approval)

The Town Council met May 30 and imposed the following schedule, with fines for noncompliance:

- Immediate: contact qualified designer
- July 1, 2012: design submitted to RI DEM
- Two weeks after DEM approval: submit proof that a contractor has been hired and their proposed work schedule

Wastewater Management Official Donald Thimble sent a note to the Council saying he does not support the repair schedule proposed by Mr. Hoyt. In brief discussion, the Council agreed that repair of the system was their first priority. They did not waive the fines or formally adjust the repair schedule, but agreed to keep the item on their agenda going forward. At their next meeting they will receive a progress report from Mr. Thimble and consider tolling fines if progress has been made.

5. Receive and act on letter from American Legion Post 36 re: Class F liquor license and Town sponsorship of July 29 fundraiser family-style picnic

A letter was received from American Legion Post 36 requesting a license to sell beer and wine from noon to 4:00 p.m. at their July 29 family picnic at Legion Park. They also requested Town sponsorship of the event.

Mr. Martin moved to grant a Class F liquor license, waive the fee, and sponsor the event, seconded by Mr. Torrey.

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

6. Set public hearing date for Leone application to amend the TNS Zoning Ordinance re: electronic games by amending New Shoreham's Zoning Ordinance Section 111 Prohibitions, Article 1 Definitions, Section 311 Old Harbor Commercial Zone, Article 319 Planned Development Zone and adding a new Section 424 Electronic Game Machines

Ms. Gaffett moved to set a 7:00 p.m. July 18, 2012 public hearing date for the application of Aldo Leone to amend Town of New Shoreham Zoning Ordinance re: electronic games by amending New Shoreham's Zoning Ordinance Section 111 Prohibitions, Article 1 Definitions, Section 311 Old Harbor Commercial Zone, Article 319 Planned Development Zone and adding a new Section 424 Electronic Game Machines. Motion was seconded by Mr. Torrey.

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

7. Boards, Committees and Commissions: Announce current openings

First Warden Gaffett announced there is a vacancy on the Harbors Committee due to the resignation of Robert Gilpin.

8. Minutes: May 2, 2012 (open and closed)

Mr. Lacoste moved to approve the open and closed minutes of May 2, 2012, seconded by Mr. Torrey.

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

At 8:05 Dr. Baute moved to adjourn the meeting, seconded by Mr. Martin.

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

Minutes approved July 18, 2012

Fiona Fitzpatrick,
Town Clerk