

New Shoreham Town Council
Town Hall, Old Town Road, Block Island RI
Monday, February 6, 2012
7:00 p.m.

Present: First Warden Kimberley H. Gaffett, Second Warden Raymond J. Torrey, Town Councilors 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 took the minutes of the meeting.

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

Warden's Report: First Warden Gaffett reported with sadness that long-time town employee John Connell died at home this morning. She also reported deer hunting has started on Town lands at the north end by Sachem Pond (Plat 1, Lot 16) and by west beach (Plat 20, Lot 20). The hunt is administered by the Town Manager and will continue on hunting days through February. The RI Department of Environmental Management has solicited RFPs for the construction and operation of a parking garage at the Port of Galilee. Town Manager and First Warden have been in touch with Director Coit regarding parking for Block Island. It is not likely the garage will be a viable project in the current economic climate. Jim Geremia will attend a prebid informational meeting to keep the Town informed. The First Warden, Town Manager and Deepwater's Bryan Wilson met with University of Massachusetts Regional Planning program director Elisabeth Hamin and interdisciplinary postgraduate students studying the effects of offshore wind power generation.

Public Input: Tim McCabe said if Cooneymus Road is relocated it will create a problem for his access. Cliff McGinness complimented Ray Torrey on his letter in the Block Island Times and spoke in support. Tim McCabe also spoke in support of the mowing program at Rodman's Hollow.

1. Receive and act on Blake Filippi letter re: 2012 National Defense Authorization Act

Blake Filippi was present and urged the Town Council to pass a resolution opposing sections 1021 and 1022 of the 2012 National Defense Authorization Act, which gives the President power to indefinitely detain citizens of the United States, without charge, and subject them to military tribunal or transfer to foreign jurisdiction. He also suggested the Town pass an ordinance that would outlaw actions that would be taken under 1021 and 1022. In discussion he said civil enforcement agencies such as the FBI, not the military, should be policing civilian citizens and aliens. Mr. Lacoste spoke against the provisions in section 1021 and 1022 of the 2012 NDAA.

Second Warden Raymond J. Torrey spoke in support of the resolution and moved its approval because it would condemn section 1021 of the 2012 National Defense Authorization Act. Motion seconded by First Warden Kimberley H. Gaffett.

Dr. Baute moved to table for more information, seconded by Mr. Torrey.

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

2. Receive and act on Deepwater Wind letter re: renewal of special temporary permits for meteorological equipment and Town property leases.

Deepwater Wind's Bryan Wilson was present and asked for extensions of the special temporary permits in place for Deepwater's meteorological tower and lidar at the Coast Guard Station, and lidar at the North Light. The Town receives \$1,000 per month for the installations. Mr. Wilson said the biological and meteorological data will be shared with the Town and public.

First Warden Gaffett moved to grant 6 month renewals for the Special Temporary Permits and to authorize the Town Manager to renew the associated leases, and to incorporate by reference the minutes of March 2, 2009 with the reasons for granting the STPs. Motion was seconded by Mr. Lacoste with the observation that the towers are relatively unobtrusive and not deleterious to viewsheds.

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

3. Receive and comment on Shellfish Commission 5 Year Plan

Shellfish Commission Chair Lois Bendokas answered questions about the report and said the Commission will continue to seed or transplant clams and oysters, and has discussed the management of soft shell clams.

Mr. Lacoste moved to receive the Shellfish Commission's five year plan, seconded by Mr. Martin.

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

4. Boards, Committees and Commissions:

• Reorganize the Old Harbor Task Force as a full committee and state preliminary charge

Ms. Gaffett moved to make the Old Harbor Task Force a Town Council appointed board of staggered two year terms, seconded by Dr. Baute.

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

Ms. Gaffett moved to adopt the charge of the Task Force as revised, seconded by Dr. Baute.

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

The charge is attached to these minutes.

• Act on Recreation Board appointment

Dr. Baute moved to appoint Paul Henshaw second alternate on the Recreation Board, seconded by Second Warden Torrey.

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

• Announce current Board, Committee and Commission openings

Ms. Gaffett noted there is one vacancy on the Old Harbor Task Force, the Library Board of Trustees and the Commission for Motor Vehicles for Hire.

• Receive and act on letter from James Rondinone re: Motor Vehicles for Hire Committee

A letter was received from James Rondinone offering to serve but he is not eligible for the position because the vacancy was created by Chris McDonough's resignation and needs to be filled by a person who does not hold a town taxi, bus, limousine or chauffeur's license as stipulated by TNS Chapter 8 Section 161.

5. Receive and act on Block Island Rescue Squad 2011 Annual Report

The report was discussed. Dr. Baute noted the shortage of EMT's.

Dr. Baute moved to receive the Block Island Rescue Squad 2011 Annual Report, seconded by Mr. Lacoste.

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

6. Receive letters re: hour limits on outside celebratory music

Letters were received for and against extending the time amplified outdoor music may be performed under Outdoor Entertainment licenses. The Council had resolved to take no action to change the ordinance.

7. Minutes: January 18, 2012 open and closed

Ms. Gaffett moved to approve the minutes with changes noted, seconded by Mr. Torrey.

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

8. Correspondence: CRMC re: proposed agency changes of plans/policies/procedures/regulations; Rob Gilpin re: update to USFWS on North Light present and future plans; Blish & Cavanagh/Payne's 1614 Realty re: Planning Board development plan review modification

No action was needed or taken.

9. Discussion re: upcoming contract negotiations (This item may be discussed in closed session pursuant to RIGL 42-46-5(a) (2) for discussions of collective bargaining)

Ms. Gaffett announced the Council will convene in closed session to discuss the wage reopener for employees association and police collective bargaining units; the session will be informational and no votes will be taken.

At 8:30, First Warden Gaffett moved to enter closed session pursuant to Rhode Island General laws 42-46-5(a)(2) for the discussion of collective bargaining. Motion was seconded by Dr. Baute.

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

At 9:00 Ms. Gaffett moved to adjourn the closed session and seal the minutes of the closed session meeting. Seconded by Dr. Baute.

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

First Warden Gaffett reported no motions were made in closed session.

At 9:01 Dr. Baute moved to adjourn, seconded by Mr. Lacoste.

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

Minutes approved February 15, 2012

Fiona Fitzpatrick,
Town Clerk