

**New Shoreham Town Council Minutes  
Town Hall, Old Town Road, Block Island  
Monday, February 4, 2013  
7:00 p.m.**

**Present:** First Warden Kimberley H. Gaffett, Second Warden Kenneth C. Lacoste, Town Councilor Sean McGarry, Town Councilor Norris Pike, Town Councilor Christopher Warfel. Also present was Town Manager Nancy O. Dodge. Town Clerk Fiona Fitzpatrick was present to take 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 said the deadline to comment on Deepwater Wind's public comment period for the Army Corps of Engineers application has been extended to February 10, 2013.

**Public Input**

Edith Blane said the oak tree in front of Town Hall is unhealthy. She asked for a report on the erosion near the Surf Hotel. First Warden Gaffett said the Old Harbor Task Force is scheduled to report on February 20. Willis Brown read a letter raising ethical questions about the requirement for donations to the Rescue Squad and Medical Center in the new moped settlement agreement. Ms. Gaffett said the letter will go on the February 20, 2013 agenda when it can be discussed at length. Chris Blane commented that the state Game Wardens have not been on the Island during the hunt on state land at Black Rock. First Warden Gaffett said she called the Department of Environmental Management earlier in the day and she will be reporting back when she has an answer.

**1. Discussion of Transfer Station operations: to include hours, costs, services**

Councilor McGarry, a principal of Block Island Recycling Management, recused and left the room. John Willis asked the Council to expand the winter schedule of the transfer station to two weekdays and Saturday and Sunday to accommodate the construction trade and cottagers. He also said the construction debris dumpster is often full on Wednesdays.

BIRM Principal Mike McGinnes was present and said BIRM adjusted the schedule several years ago from Tuesday, Wednesday and Saturday to Wednesday, Saturday and Sunday at the request of residents. He said the three days of operation meets winter demand. Mr. Pike said most contractors use dumpster service because it is more efficient. It was not clear whether the dissatisfaction is widespread. Mr. McGinnes said BIRM keeps data on Transfer Station usage.

Ms. Gaffett suggested setting up a meeting to discuss and review the operating plan, along with long term goals like meeting the cap by diverting food wastes and composting. Fees and hours can also be discussed. Mr. McGinnes said he will provide a list of needed repairs and improvements. The discussion will be held at the Council's next work session, March 6, 2013.

**2. Town Manager report re: Scotch Beach access/boundary delineation**

Town Manager Dodge reported a citizen questioned the installation of dune fencing by the property owner adjacent to Scotch Beach Road. Ned Phillips and Edith Blane were present. Mr. Phillips was hired by to install snow fencing on the Driesman property at Plat 3, Lot 3-1 which suffered erosion during Hurricane Sandy. The property is adjacent to Scotch Beach Road. Mr. Phillips received an emergency permit from CRMC to install snow fencing for dune restoration on the property. He will put up fencing for three years and then plant American beach grass on the accreted dunes. Mrs. Blane questioned the location of the fencing which she said was too close to the property boundary and would create dunes in Scotch Beach Road. The Town Manager said Scotch Beach is a town road, 50 feet wide. A building permit is not needed to install snow fencing which is temporary. The owners stopped the work and contacted a surveyor to inspect the site. Mr. Lacoste said they agreed to bring the fence back from the southern boundary line to prevent the dune from growing into Scotch Beach Road.

**3. Receive and act on Washington County Regional Planning Council inquiry re: Environmental Council of RI letter on BI Wind**

No action was taken because the item is moot, the request has been withdrawn.

**4. Receive and act on monthly finance report: December**

Finance Director Amy Land presented the report. Revenues and expenses are on track. The report includes Hurricane Sandy expenses and reimbursement by insurance and FEMA.

Mr. Lacoste moved to receive the report, seconded by Mr. Pike.

Ayes: 5 (Gaffett, Lacoste, McGarry, Pike, Warfel)

Nays: 0

**Receive and act on Shellfish Commission letter re: C. Gale commercial shellfish license application**

A brief discussion ensued. Due to illnesses, the Shellfish Commission has not been able to bring a quorum to vote on the license. Town Solicitor asked for time to review the request of the Harbors Committee that all town fees be paid prior to licensing.

Ms. Gaffett moved to table consideration to the next meeting, seconded by Mr. Lacoste.

Ayes: 5 (Gaffett, Lacoste, McGarry, Pike, Warfel)

Nays: 0

**5. Receive and act on Deer Task Force 2012 Annual Report**

Ms. Gaffett noted the report is extremely thorough. Mr. Lacoste noted the recommendations are clear and progress can be measured. Becky Ballard was present for the Deer Task Force and said the members appreciate the Town Council's support.

Ms. Gaffett moved to accept the report, seconded by Mr. McGarry.

Ayes: 5 (Gaffett, Lacoste, McGarry, Pike, Warfel)

Nays: 0

**6. Review and act on Block Island Rescue Squad Annual Report 2012**

Kate McConville was present for the Rescue Squad and received the Council's thanks. She thanked the Town Council and Town Manager for their support of NSPD and Rescue efforts to control the July 4<sup>th</sup> holiday, including cooperation with Fusion Center, social media and advertising, use of the RI Disaster Medical Assistance Team (DMAT), additional State Police, a third ambulance and an extra EMT crew from Charlestown for the holiday weekend. Ms. McConville said she hopes the Town continues the course for at least another year. She asked for help finding housing for the support crews over the holiday. She believes signage has helped reduce moped and bicycle accidents, and asked the Council to be sure moped training takes place somewhere, and that the helmet laws are enforced. She noted EMT's Mark Emmanuelle and Ruth Vann retired this year.

A motion to accept the report was made by Ms. Gaffett and seconded by Mr. Lacoste.

Ayes: 5 (Gaffett, Lacoste, McGarry, Pike, Warfel)

Nays: 0

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

**• Confirm appointment of fire chief pursuant to New Shoreham General Ordinances 5-26**

Tristan Payne, present in the audience, was reelected Fire Chief by the membership earlier this month. The Council thanked him for his continuing service.

First Warden Gaffett moved, seconded by Councilor Warfel, to affirm the appointment of Fire Chief Tristan Payne pursuant to Town ordinance 5-26.

Ayes: 5 (Gaffett, Lacoste, McGarry, Pike, Warfel)

Nays: 0

**• Act on request of Deer Task Force re: alternate position and appointment**

The Deer Task Force asked that a new position of alternate member be established and suggested Elizabeth Theve be appointed.

Councilor Pike moved to establish an alternate position on the Deer Task Force and to appoint Betsy Theve as the first alternate member, seconded by Councilor Warfel.

Ayes: 5 (Gaffett, Lacoste, McGarry, Pike, Warfel)

Nays: 0

**• Consider and act on creation of a TNS Infrastructure Committee**

Councilor Warfel lead a discussion regarding the need for an infrastructure committee that could work with departments and committees throughout the Town to coordinate consistent conservation of energy, water and sewer for existing and future buildings and projects. He said he thought it was important to have an overall vision and ready expertise if the Town is considering bonding infrastructure improvements. Discussion ensued. Mr. Warfel will work to create a charge for Town Council consideration for a committee that would be advisory to the Town Manager.

**• Set date to meet with Conservation Commission re: proposed "tree ordinance"**

The First Warden will report back with the date of CC meetings when the tree ordinance can be discussed.

• Announce Board, Committee and Commission openings

An opening remains on the Senior Advisory Committee.

**8. Discuss and identify 2013 Legislative Priorities to guide Washington County Regional Planning Council**

After discussion Mr. Warfel offered to draft a letter identifying the Town Council's priorities as binding arbitration, coastal erosion, a welcome center on Route 95, South County Hospital, the Westerly Hospital birthing center, street lighting and coordination of mass transit (especially continuing the coordination of the #66 bus with the ferry).

**9. Receive and act on Burrillville Town Council Resolution re: S0044 and H5072 "master lever" legislation**

The Burrillville resolution seeks to remove the "master lever" option for a voting straight party ticket; instead an individual would have to cast a vote for each office. Discussion ensued.

Mr. Lacoste moved to support the legislation, seconded by Mr. Warfel.

Ayes: 3 (Gaffett, Lacoste, Warfel)    Nays: 2 (McGarry, Pike)

**10. Minutes: January 16, 2013**

A motion to approve the minutes of January 16, 2013 as amended was made by Ms. Gaffett and seconded by Mr. Warfel.

Ayes: 5 (Gaffett, Lacoste, McGarry, Pike, Warfel)    Nays: 0

At 9:55 a motion to adjourn was made by Mr. Pike and seconded by Mr. McGarry.

Ayes: 5 (Gaffett, Lacoste, McGarry, Pike, Warfel)    Nays: 0

Minutes approved February 20, 2013

Fiona Fitzpatrick,  
Town Clerk