

# Commissioners make wood pile pier recommendations to Council

By Sam Bari

The harbor commissioners ironed out recommendations to the Town Council at the June 11 Harbor Management Commission meeting for the use of the town-owned wood pile pier at East Ferry.

The recommendations are to attach an 80-foot, floating touch and go dock with a ramp on the north side at the east end of the pier. The south side of the pier at the east end will be left open for 40-feet. The remainder of the south side of the pier will be available for seasonal rentals at the discretion of the marina.

The use of the pier has long been a contentious issue with deep divisions between boaters and fishermen. Both are seeking priority, and the town is looking for the best way to be compliant with restrictions governing the use of the facility.

During the discussion, commissioner Robert Bowen said that people were complaining about boaters interfering with the fishing.

Commissioner Rick Anderson suggested that people can fish as long as they don't interfere with the boating.

East Ferry Marina operator Bill Munger said that safety was always going to be an issue with fishermen and boaters using the same docks. "Right now we don't have a safe situation when the dock is loaded with rod and reels," he said.

Harbor Commission liaison and Town Council President Julio DiGiando said after the meeting that fishermen and boaters are going to have to learn to co-exist. "It can be done if everyone exercises a little common courtesy," he said. Chairman Mike de Angeli said that recommending regulations for the use of the pier regarding fishing and other recreational activities did not really fall under the jurisdiction of the commission. "Our responsibility is to manage the water, and recreational use of any pier should be handled by the Town Council," he said.

A motion was made to recom-

mend the touch and go dock with the 40-feet of open space on the south side, and to allow the Town Council to regulate the fishing regulations. The motion passed 5-1 with Anderson casting the dissenting vote.

## Reports

Executive Director Thomas Tighe said in his report that the harbormaster's boat was back in the water. He said, "Everything seems to be okay, but we're going to have Mr. Sam Martin from URI conduct tests to make sure the problems don't reoccur."

The boat suffered severe damage from galvanic corrosion that occurred after only two months of operation. Ribcraft of Marblehead Mass., the manufacturer, made the repairs and returned the boat to its East Ferry dock.

In another matter, Planning Commission liaison Nancy Bennett reported that the Town Planner and Town Solicitor said, "Head's Beach was nothing we (Planning Commission) could be involved with unless the Town Council asked us directly."

Commissioner Anderson asked if she was referring to discussing landside impact from the mooring field. DiGiando interrupted and said, "You need to make a request to the Town Council for that."

DiGiando explained that commissions and committees cannot communicate directly without requesting permission from the Town Council first. If the council ascertains that direct communication is necessary, then they can proceed with council guidance.

## New business

The commissioners voted unanimously to approve Allen Cameron's request for a mooring permit transfer from his father's name to his.

A letter from Barbara Paterson of the recently re-financed Dutch Harbor Boat Yard requested an increase of 25 transient moorings.

Commissioner Andrew Kallfelz said, "We cannot increase the number of moorings that is in our master plan. Shoreside facilities

currently accommodate the limit that is there."

Anderson said, "We have to stick to the ratio. Commercial moorings increase as private moorings increase."

De Angeli said that Paterson would have to get Coastal Resources Management Commission (CRMC) approval as well. He added that most of the letter concerned shoreside facilities that were not under the jurisdiction of the Harbor Commission. He suggested forwarding the letter to the Town Council.

Commissioner Robert Bowen suggested making a recommendation to the Town Council that they submit a statement to state representatives, voting against bill H-8199 to amend a law repealing the use of the remainder of the old Jamestown Bridge as a fishing pier.

Anderson said, "As a member of the harbor commission, I'm not comfortable weighing in on what people in North Kingstown do with their fishing piers."

Commissioner Susan Little disagreed. "The old bridge is not owned by the town the way our wood-pile pier is. Whether the harbor commission wants to write a letter direct to the state reps is debatable, but we are within our rights to write a letter to the Town Council," she added.

Kallfelz said, "I don't think our position should be recommending that particular area to be used as a fishing pier. We should encourage our representatives to explore all options for fishing piers, if we want to make a statement to encourage development of fishing areas," he added.

De Angeli said, "I think we can act on this. Let's use it, not waste it." He moved for the commission to write a letter to the Town Council supporting the letter to vote against bill H-8199. The motion passed with a 3-1 vote. Anderson abstained, and Commissioner Chris Brown voted against the motion.



## First in class to Bermuda

Two sailing yachts with Jamestown connections finished first in their respective classes in the Newport to Bermuda race. Above, the crew of Aurora paused in their race preparations last Friday morning. Andrew Kallfelz was the skipper of the boat which hailed from the Jamestown Yacht Club. Below, the crew of Il Bodacious took time for a picture on Friday before the Bermuda race start. Jeffrey Urbina, who owns a house in Jamestown, was the skipper. The sailboat hailed from the Columbia Yacht Club in Chicago.

Photos by Jeff McDonough



## See historic documents at state archives

Secretary of State A. Ralph Molis invites the public to honor July 4 by learning about Rhode Island's independence at the State Archives in downtown Providence in July.

Among the treasures available for viewing are the document that declared Rhode Island's independence from England's King George III on May 4, 1776, and Rhode Island's original copy of the Declaration of Independence, signed by John Hancock and Rhode Islanders Stephen Hopkins and William Ellery.

Additionally, there are acts of the Rhode Island General Assembly dating from 1776 dealing with the printing, publication and public-reading of the Declaration of Independence.

Located at 337 Westminster St., Providence, the facility is open to the public weekdays from 8:30 a.m. to 4:30 p.m. Free parking is available at the In-Town Parking lot adjacent to the facility.

For more information call 222-2353 or visit [www.sec.state.ri.us](http://www.sec.state.ri.us).



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**LEGAL TIP**

A man who was allegedly injured when his golf partner teed off a ball that hit him in the head can sue, the California Supreme Court has ruled.

The two golfers were on the 13th hole when the injury occurred. The defendant took a practice swing, stepped forward, focused on the ball for 15 to 20 seconds and struck it. When he looked up, he saw the plaintiff lying on the ground approximately 25 to 30 feet away. The ball had struck the plaintiff in the head.

The plaintiff sued for negligence. The defendant argued that the claim was barred by the assumption of risk doctrine.

The court states that the case could go forward and if the jury determines the golf partner's conduct was reckless then the victim did not assume the risk.

*The Supreme Court licenses all lawyers in the general practice of law. The court does not license any lawyer as an expert or specialist in any field of practice.*

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