



MEETING MINUTES
Waterways Commission Meeting
Wednesday October 5, 2016
Scituate Maritime Center
7:15 pm

Commission Members in Attendance: Brian Cronin, Michael Gibbons, Fran McMillen, Michael Lorusso, Stephen Mone, David Glancy, David Friedman

Commission Members Absent: Keith Walo, Brian Kelly

The Meeting was called to order at 7:16pm by Fran McMillen.

Acceptance of Agenda

Move that the Waterways Commission approve the agenda for October 5, 2016 meeting. Motion by David Friedman Second by Brian Cronin Unanimous Vote (7-0)

Acceptance of Minutes

Move that the Waterways Commission approve the meeting minutes for August 3, 2016 meeting. Motion by David Friedman Second by Michael Lorusso Unanimous Vote (7-0)

Move that the Waterways Commission approve the meeting minutes for September 7, 2016 meeting. Motion by Michael Gibbons Second by Brian Cronin Unanimous Vote (7-0)

Harbormaster Report: Stephen Mone reported that all moorings are being banded. Some don't have numbers or aren't legible. They've completed banding all moorings in the inner harbor and Mill Wharf area. They will be continuing onto the remainder of the harbor weather permitting. They are attaching bands to all moorings so that they can identify who has paid/who owns the mooring. The bands have a year on them. They will be banded every year. There are issues with some buoys because it is hard to attach a tag because of the design.

Harbor Plan Update: David Friedman reported that we are waiting on the Town Administrator to get back to the Commission on the process.

Old Business:

Harbor Regulations Discussion: Fran McMillen reported that the Town Administrator will be getting a consultant. He asked the audience for any suggestions regarding the mooring regulations. Bob McHugh thinks an outsider can't do what the Commission can't do. He thinks the Commission

should be involved in writing the regulations. Ed Leary asked if the Town Administrator has had a specific conversation about the transient business. Stephen Mone reiterated that the T.A. didn't know before that we did not have transient moorings prior to his harbor regulation presentation. Ed Leary is interested if there are parameters involving the transient slips. Ed Leary asked the Commission to address this specific issue with the Town Administrator. He said many people in the Town are concerned with the idea of transient moorings. Stephen Mone reiterated that they are looking to hire a consultant. Fran McMillen said that the WWC has an advisory role with the Board of Selectman. Jim Spelman asked if a consultant has been hired. Stephen Mone said that he's not aware, that people are being considered as far as he knows. Michael Gibbons explained that the rewriting of the document is rearranging of wording. Bill Fairbanks said years ago they hired a consultant around 2000/2001, they talked about harbor plan in regards to dredging that needed to be done back then. He's saying that this has been done before. Bill said we have paid for consultants before and we could revisit the meeting minutes from back then. Kathy Donahue questioned stickers being placed on boats, were people penalized that did not have a sticker? Stephen Mone said they are in the process of tracking people and their documents down. Beth Lewis said that if we are having a consultant come in that the legal aspect of the regulations should be thoroughly gone through. Brad White said that the Commission should be upset. All past and present Commission members have put in effort and time into this harbor and the Waterways Commission. A consultant that does not know anything about this harbor. Brad said it's 100% wrong that the Commission has no input in these regulations. Brad wants the chairperson to stand up and voice the opinions of the Town. Peter Toppan thinks that people should write individual letters to the Board of Selectman and/or Town Administrator. Bob Rappold is concerned that a lot of this has to do with money. He said that if he pays for his mooring, then it should be his control. David Friedman said a consultant will give us their input and then it would come back to the Waterways Commission before it was put into official regulations. Bob McHugh also said that the WWC has worked hard over the year. Dick Eckhouse said that if the individuals write letters, then the Commission should write letters as well. Ed Leary asked if the Commission would contact the Boat Club and Yacht Club to also write letters. Fran McMillen said that the Commission needs to talk with Board of Selectman liaison Shawn Harris. Howie Kreutzberg questioned why would the Commission talk to the Board of Selectman if the WWC is an advisory TO the Board. Jim Kwiatkowski said that a consultant advises, does not make a final decision. Howie said that maybe the Commission should mention the number of hours they have put into this topic in the letter to the Board of Selectman.

Move that the Waterways Commission communicate to the Board of Selectman in regards to the scope of what the consultant's charter and that the Waterways Commission will be involved with the public's input with the final regulations before they are adopted. Motion by David Friedman Second by David Glancy Unanimous Vote (6-0). Stephen Mone (Harbormaster) abstained.

New Business:

Stephen Mone explained that he does have an article in the Special Town Meeting. David Friedman asked when this amount came about. Stephen Mone said that it's been in the works for a while.

Michael Lorusso said it's been talked about in the last year and a half. Howie Kreutzberg said that this is a tremendous opportunity to receive a grant for the Town.

Kathy Donahue brought documents (meeting minutes dated January 25, 1990) in regards to the \$125 surcharge. See attached document.

Next meeting is Nov. 2, 2016

Adjournment

There being no other business a motion was made by Brian Cronin to adjourn at 8:41pm second by David Friedman Unanimous Vote (7-0).

Respectfully Submitted,

Kelli Rodgers
Recorder

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WATERWAYS COMMISSION

Minutes of Meeting

January 25, 1990

Present: W. Fairbanks, T. Kapp, H. Bomengen, R. Robotham, E. Pooler, S. Brennon, J. Lebherz

At 7:35 P.M. the meeting was called to order by Mr. Fairbanks, Chairman. Selectmen Joseph Norton and Andrew Zilonis and the following members of the Advisory Committee were also in attendance: W. Limbacher, J. Barbuto, P. Morin, S. DeForest, C. Constantinides, J. Dunn, P. Toppan. The minutes of the January 11th meeting were reviewed. Ms. Robotham wishes it to be known that in the next to the last paragraph she was referring to maintenance dredging. Mr. Bomengen moved for acceptance, there was a second and the minutes were accepted unanimously. Subcommittee reports and correspondence were postponed because of the presence of Selectmen and Advisory Committee members.

Old Business began with Mr. Fairbanks recapitulating the user fee idea, stating that mooring fees have been supporting the operations of the harbor while marinas have been receiving services. Beverly, Salem and Hull currently have user fees of \$3 and \$4 per foot. Mr. Fairbanks read a list of log entries made between May and October of 1989 by the Harbormaster detailing how marinas were patrolled and checked approximately every two hours, twenty-four hours a day, seven days a week. Mr. Morin requested a copy of this list for each person at the meeting; Kim Donovan xeroxed copies. To Mr. Constantinides' question if there may have been other unreported incidents involving harbormaster assistance, Mr. Pooler replied that it did happen that a sailboat, for example, was picked up on the way while something else was occurring and this was not logged. Mr. Pooler further reported that there were no "operating under the influence" citations and the public did and does use the restroom facilities at the Cole Parkway Marina. Mr. Toppan asked if mooring owners use the showers; Mr. Pooler answered that they do not. Next Mr. Morin asked if the Town Marina should be privately operated; Mr. Fairbanks that he, personally, thinks it should. Mr. Morin continued by saying that the Town Marina is experiencing a profit and, therefore, should take a bigger share of the Harbormaster's expenses. Mr. Fairbanks and Mr. Zilonis both stated that the Town Marina grant has strict guidelines as to how the money is used. To Mr. Morin's question

it is very important to remember that it is run by the Selectmen, the Harbormaster and the Town Administrator, all of whom must work together closely.

Mr. Toppan's comment that the harbor is an asset and Harbormaster's budget needs to be restored brought the discussion back to the user fee. Both Mr. Dunn and Mr. Constantinides asked if the entire salary of the Harbormaster could be paid by the Town Marina funds; Mr. Fairbanks answered that one department cannot pay for another and Mr. Norton said that he cannot justify more than fifty percent of the time. Mr. Constantinides' three questions about how much time the Harbormaster devotes to fishermen, the ice machine and the floats remained unanswered; Mr. Fairbanks suggested he come to the office. According to Mr. Bomengen, although the user fee will generate \$48,000. maintenance of the Town Marina is behind schedule and surpluses need to be used more quickly. Mr. Zilonis stated that a serious problem may arise: the user fee may bring in more than the Harbormaster needs. Such money generated will go back into the general fund. Next Mr. Fairbanks reiterated the source of funding for the Town Pier: one third from the town, one third from users and one third from the Waterways Improvement Fund which is funded by fifty percent of the state excise tax. He mentioned that maintenance dredging may become a possibility again because of the availability of matching funds. Merging the pieces and activities of the harbor and defining the organization were recommendations made by Mr. Constantinides because taxpayers are more and more confused by various fees.

Mr Limbacher suggested establishing an enterprise fund, putting user fees in one pot to improve the harbor. A downside to this idea, according to Mr. Dunn, is that unless the commission insulates itself, a problem may arise: the harbor should become self-sufficient in good years and bad without having to come back to the town for funds.

At this time the Selectmen and the Advisory Committee left our meeting. Mr. Bomengen said that the enterprise fund could be a matter for next year. The fee structure will support the purchase of a new boat and our attention should be focused on that. Also Mr. Bomengen said that Mr. Crook has remarked that the Town Marina is in "deplorable condition" because money has not been spent. Mr. Bomengen emphasized that this commission needs to get some feedback on this matter. Once again Mr. Fairbanks restated that the user fee would be \$3 per foot for boats longer than ten feet, the fee for lobster cars being a flat rate of \$50 each. At Cole Parkway Marina the rate per foot should be increased to \$55 and the Town Pier vessel tie-up fee should be increased to \$1325. A letter will be sent to the Selectmen detailing this proposal.