



MEETING MINUTES
Waterways Commission Meeting
Wednesday, November 4, 2020
7:00 PM

REMOTE Meeting

Meeting conducted pursuant to the March 12, 2020 modifications to the Open Meeting Law made by Governor Baker pursuant to the state of emergency due to COVID-19. This meeting was live broadcast by SCTV.

Commission Members Participating Remotely: Mike Gibbons; Chairman, Richard Murray; Vice Chairman, Brian Kelly, Howie Kreutzberg, Craig Rosenquist, Stephen Mone; Harbormaster, David Friedman, Alicia Anthony; Recording Secretary

Commission Members not in Attendance: Tucker Patterson, Dave Healy, David Sincoski, Steve Guard

Others in Attendance: David Dauphinee; Scituate Resident, Brad White; Scituate Resident, Brendan McAuley; Scituate Police Department Marine Unit Officer

Chairman Mike Gibbons called the meeting to order at 7:02 PM

Mr. Gibbons asked for a motion to approve the November Meeting Agenda, a motion was made by Richard Murray and seconded by Brian Kelly, Voted majority in favor (7-0) to accept the agenda as submitted by roll call vote; UNANIMOUS

Brian Kelly made motion to delay voting on the October Meeting Minutes until next month's meeting, Richard Murray seconded the motion, and voted majority in favor (7-0) by roll call vote; UNANIMOUS.

- **Harbormaster Report – Stephen Mone**

- A. Update on New Boat Delivery**

Mr. Steven Mone updated the board on the new boat delivery and reported that after speaking with the builder, Stewart Workman, he was told there is a hold up on the delivery of the windows. Mr. Workman told Steven that he feels very confident that the windows will be there by the end of this month. This would have the boat arriving to Scituate the first week of December. Mr. Mone stated that he had sent Mr. Gibbons some pictures of the boat's lettering. He said that the boat looks really nice with the only holdup to completing the project is the wait on the windows. Once received, this should only be a day or so project. They are cut out and made

to size in aluminum frames. Mr. Gibbons stated that this push back due to windows again is concerning as the original date of delivery was scheduled for July. There is an option to bring the boat down by water or trailered. Craig Rosenquist asked Mr. Mone if there would be a delivery charge to which Mr. Mone said he is looking in to this. David Friedman asked if there would be any benefit to just waiting until April to trailer the boat in better weather. Mr. Mone said that the plan is to get it to Scituate so that Boat Works can install the boat's fire pumps. Brian Kelly said from a financial standpoint, delaying the delivery may add up in the interest we are accruing as well as the possibility of additional charges for storing it up in Maine. This would be something we would have to work with Finance Director, Nancy Holt, on if we were to wait. It was agreed that SW are most likely hoping to move the boat as soon as possible as well to receive payment. Mr. Gibbons stated that if the boat can't be brought in on its bottom, looking in to some sort of possible holdback to make sure it's good to run in the spring. Mr. Mone said that this would have to be done either way. Scituate Resident, Brad White, spoke up giving his idea of possible asking for immediate delivery without use of the boat until March/April 2021, to possibly not start warranty until month of use due to Covid delays. Mr. Mone said that he would ask.

B. Piling Project Status Update

Mr. Mone gave an update on the Piling Project. He informed the board that Sean McCarthy, Paul Scott, the contractor, the subcontractor and himself met on site about two and a half weeks ago. The subcontractor is due to do the work on the rip rap as well as the sea wall itself where the gangway is going to go. The plan was to start to do some of the work from the land with a crane. The concerns were if getting a crane in to get to that would be possible or would the use of a crane from a barge have to be done. This is to remove the existing pier and put the rip rap rock in place. Mone got an email from the contractor today stating that he plans to start putting up the fencing as well as take delivery of materials in two weeks. The materials would be stored in Cole Parkway just beyond the band stands in a fenced in area that the contractor will begin to have set up. Mr. Mone stated that this project has a finish date of May 14, 2021. Mr. Mone also said that he made arrangements with the crane company in Scituate and Board Safe, the gangway manufacturer, who he contracted with directly. He is hoping to have the gangway delivered next week, which will also be stored in the Cole Parkway fenced in area. Mr. Gibbons asked what Board Safe was. Mr. Mone responded that it is the name of an aluminum manufacturing company who built the gangway that is currently in storage. David Friedman asked Mr. Mone when the pilings would be start to be driven in and if this could be done in the winter. Mr. Mone said that this can be done but is completely up to the contractor as he has until May 14th to complete the project. Mr. Mone's understanding is that he will start to drive pilings in the late winter/ early spring but this could change. There are no restrictions on this project.

C. Parking Lot Lights at Jericho Update

Mr. Mone said that he had been going back and forth between National Grid and Fishing and Boating Access. He said that about a week ago Fishing and Boating Access informed him that they are willing to pay for the lights but are looking to the town to pay the electric bill. The emails are going back and forth between the three parties trying to figure out the cost. Mr. Mone said he found a meter down there and now has National Grid looking in to who has been paying this bill to current. As it stands, the state doesn't have accounts to pay for this which leads him to believe that the town has been paying it. This needs to be verified that it's ok to continue if that's the case, as Mr. Mone himself has never seen this specific bill. Craig Rosenquist asked if this was in reference to the decorative lights at Jericho. Mr. Mone said yes, as these were the only lights down there, and have been removed as they were rotted out and there was concern of them falling over. He said that although the decorative lights didn't give off a lot of light, the parking lot and ramp is now left in complete darkness so the plan is to put some lights on the poles until the original ones are replaced. The new fixtures can be purchased by The Waterways Committee or Fishing and Boating Access, or could be rented from National Grid. This is all being looked in to currently. Mr. Gibbons asked Mr. Mone to keep the board updated on this project to which Mr. Mone agreed. Scituate Resident, David Dauphinee, brought to attention that he pays about \$30/month for the light at his shop and the company owns the fixture. This has him to believe that it would not be a large amount of money and is motion sensed. Mr. Gibbons agreed and brought up that this is not confirmed this cost might fall under The Waterways Committee. Mr. Mone confirmed that this was correct and what he is trying to determine. Scituate Police Officer, Brendan McAuley spoke up saying that a few years back The Town of Scituate took over all of the street lights in town from National Grid so they may already be paying for the Jericho bill. Mr. Gibbons and Mr. Mone agreed this would make sense. Mr. Rosenquist stated that as they didn't face the streets, these lights probably fell in to a different category. Richard Murray stated he doesn't think the committee should get involved with owning and running street lights. Mr. Gibbons said The Waterways Committee is looking to add this on to what the town is already doing.

D. Season wrap-up

Mr. Mone said that this was an extremely busy season this year. Boat stops were almost double what they were last year. Steve said that there were about 20 rescues by the end of the season. He stated that it was really busy, but a great season all in all. Mr. Mone said he got a lot of compliments from residents and even the commercial fishermen, on the positive interaction of his staff. He said

that he was very happy with his staff this year, stating that the maintenance crew did a great job with the pump outs, right on top of it all year long. There was only one issue all summer long, at the pump out station where one of the push buttons stopped working. The electrician was there the next morning and had it back up and running. They are in the mist of breaking down all of the marinas for the winter. Mr. Gibbons asked Mr. Mone if the Harbormaster's Office keeps stats on their number of pump outs. Mr. Mone stated that they bill CVA (Clean Vessel Act) for the number of staff hours as well as the gallonage with boat name or MS number. He stated that this is how they get reimbursed up to 80% of anything spent. They charge for dockage, location, staff and maintenance staff.

E. Capital Plan items for 2022 budget

Mr. Gibbons started off by saying that just today Brian Kelly came to him with a couple of updates via email.

Mr. Kelly spoke and showed the FY22 budget for The Harbormaster's Office which has to go through the approval process. Mr. Kelly stated that he met with Town Administrator, Jim Boudreau, and Finance Director, Nancy Holt, and the only two items on this for FY22, which begins July 1, 2022, are 1. \$200,000 for replacement of docks and gangways, and attempt to get a seaport grant to replace all of the docks at Cole Parkway. The first step to get the grant is to get approval by the town for monies so that when Seaport asks do you have the money allocated and approved, we can respond yes. This number is a place holder for this item, said Mr. Kelly, but is nowhere near what it will cost to replace the docks and gangways at Cole Parkway. The estimates at TBD, ranking from \$700,000 to \$1,000,000.

And 2. A re-power on Unit 1 for \$47,000. The total is \$240,000 in Capital Planning for FY22, which next go to The Capital Planning Committee, then to The Advisory Committee, and finally to The Board of Selectmen before getting put on The Town Meeting. Mr. Kelly said he plans on imputing these numbers in to the board's projection but these numbers just came out yesterday.

Pump out station at Jericho Boat Ramp will move to The FY23 Budget.

- **Old Business:**

- A. Comprehensive Dredge Project RFP Update**

- Mr. Mone reported that the Comprehensive Dredge Project RFP has been sent out to the engineering firm and were given 30 – 45 days to respond. Mr. Mone said he will then review and grade responses to then come to a final selection.

- B. Town of Scituate Mooring Rental- Suggested Mooring Rules and Regs Language**

- Mr. Gibbons stated that at the last meeting a workgroup was put together which

consisted of Rick Murray, Brian Kelly and Brian Cronin.

Brian Cronin asked Mr. Gibbons to share the Rules and Regulations document with the board that he had added some of his suggestions for language to. Mr. Gibbons shared this on his screen with the board. Mr. Cronin stated that in Section H, he took a little bit of verbiage out when it came to how to rent a mooring. He said he figured that can be covered on The Harbormaster or DockWa websites, as well as in the operating procedures in how the moorings are going to be dealt with as leaving the fee to be set by The Harbormaster each year, not in the mooring regulations. He said this would be something that would be more difficult to change.

No vessel should occupy a transient mooring for more than seven days in a calendar month. This was changed to prevent someone from getting around the waiting list and renting a mooring for an entire season. The board agreed that this makes sense. The board spoke back and forth on the idea of how boaters could get around this wording to extend their stays. Mr. Gibbons thanked Mr. Cronin for all of the work he put in to this and asked if he could share the additional notes he had with the group. Mr. Cronin started off by saying that these are just some of his thoughts as he was working on these edits. He does not think these things should be included in the regulations but should be in the operations as well as the Waterways Committee's approach. It was starting with three moorings, then how many to have the town manage was looked at, and next the size was discussed. Mr. Cronin shared that his approach would be to have the three moorings located together and marked with Town to make it easy for The Harbormaster on duty to assign boaters by radio as to not have to have a patrol boat out to do so. Mr. Gibbons said that many decisions will need to be determined by the group to be documented such as arrival times, procedures, where the moorings are, what size they are, and how many. Mr. Cronin added on to that list with the checkout time, whether rafting is permitted, and acceptable payment types. Another thing for the board to consider, said Mr. Cronin is inclement weather procedures, will showers be included and will the town need to have more insurance. Mr. Murray then stated that he agrees these things should be put in to a policy with The Harbormaster's empowerment highlighted so that he has the right to do so when needed. Mr. Gibbons asked if the workgroup was at a point in The Moorings Rights and Regulations edits to continue until next week to incorporate these changes, or would additional discussion tonight followed by a vote be preferred. It was decided to have a final draft put together for the board to see prior to voting. Mr. Murray suggested that Mr. Cronin reach out to Mr. Mone in the meantime to ask his thoughts on wording to include in these policies regarding his rights to make decisions at his discretion. Mr. Gibbons asked the workgroup if they could get a final draft put together for next week to which they all agreed.

It was asked if the weather related stuff had to be in the regulations. Mr. Murray stated that he feels this needs to be in there to protect The Harbormaster. Mr. Gibbons asked Mr. Mone how it works currently when someone is renting a slip, further asking if there is anything these boaters sign stating they will adhere to certain rules and regulations. Mr. Mone responded that he believes there is

something when entering in to the contract but will check with DockWa to be certain. Mr. Gibbons said this would be good to know as this is how we would let the transient boaters know of similar town rules as they are coming in. Mr. Murray stated that he feels this just needs to be very general wording. Mr. Gibbons agreed and left it for the workgroup to have prepared for the next meeting.

C. Small Vessel Decal Study – Other Towns Policies Update

Mr. Gibbons stated that this topic is an update on the “three Daves”. David Freidman then stated that Dave Sincoski had taken a lot of the lead on this and has been doing the research. With him not present at tonight’s meeting and their workgroup has not met since the last Waterway’s meeting, he knows they’re at a little bit of a stall on this. He said that Mr. Sincoski is compiling his research but stated that he knows there are plenty of other towns that have some sort of kayak policy. Mr. Freidman then reported that by the next Waterway’s meeting his workgroup will have some description out to the board about what other towns have been doing. He can’t say that they’ll have a proposal of what to do but will have ideas to share of other town’s policies. It was agreed that an update would be discussed at the next meeting.

D. Conservation Park Stone Block Removal Findings

Mr. Gibbons started off by saying that it was left that someone from the board was going to talk to The Conservation Commission about these blocks. Mr. Mone immediately stated that he had spoken with Conservation. He found out that The DPW moved the blocks and The Conservation Commission is going to have them put them back. The reason for DPW moving these is unknown. Scituate Resident, Brad White, stated that he had a chance to talk to Amy Walkey of The Conservation Commission regarding this about a month ago. Miss Walkey indicated that it might actually be part of a bigger master plan. She told Mr. White that they liked the idea, it worked, and it didn’t harm anything. Mr. White said there seems to be two sides to the story so he wanted to share this with the board. Mr. Gibbons thanked Mr. White for chiming in on this. Mr. Gibbons then stated that since it seems like there is a resolution in place, there is nothing left outstanding on the matter. Howie Kreutzberg then stated that he feels like this is a bit of a contradiction if Mr. White is saying that The Conservation Commission wants this area kept open for parking. Mr. White then responded saying that this is what originally set off the flares for him. He then said that he remembers during The “Save Our Ramp” Campaign, that area was closed at midnight that was supposed to remain a growing and nurturing area. Then the rocks moved back in August and the users of the area could fit fifteen to eighteen F150 trucks with trailers. Mr. White said that nobody really said anything and then he said to himself that this is against what everyone agreed to ten years ago. He told Mr. Kreutzberg that he was in agreement with him and that there seems to be a conflict but that The Conservation Commission may feel that they need to do something to accommodate the increase in use. Mr. Kreutzberg then responded that he really

doesn't think that this area is so sensitive that people can't park there. He stated that the idea of putting the blocks in years ago was to keep people from driving around and parking there but people had been parking there for twenty years before the blocks were put in. Mr. Kreutzberg said that he wouldn't have a problem with that area being opened up for additional parking. Mr. White responded to that statement that as long as it doesn't cause the original mission of closing that ramp. He then said that he agrees with Mr. Kreutzberg, but if by opening up that area for parking like it used to be, but shuts down the ramp he wouldn't be in favor. Mr. Kreutzberg then asked Mr. Murray his thoughts on opening this area up for parking again. Mr. Murray stated that he agrees with Mr. White from The Waterways Commission's prospective, we want to assure the accessibility and the safe and continued sustainability of the ramp. He then stated that this isn't The Waterways Commission's jurisdiction. The Waterways Commission is responsible for maintaining the ramp. Mr. Kreutzberg agreed with Mr. Murray and then said that this was part of The Conservation Commission's job and that they made the decision to open it up. Mr. Mone then asked to jump in and tell Mr. Freidman that while on the topic of Conservation Park, and Scituate Police Officer, Brendan McAuley is on the call, he wanted to say that they encouraged The Conservation Commission last year to stripe the parking lot and they did so. Mr. Mone said he doesn't know the signage there intimately but hasn't noticed any new or better signage himself. He then stated that he thinks that this winter it should be encouraged that they put better signage so that The Police Department can do a better job of policing the parking there. Officer McAuley then responded saying that the Police Department would have nothing to do with signage but stated that that parking lot is patrolled frequently along with even further out in to Conservation Park, especially now with the new ATV's that were purchased. He then said that if there were clearer signs of what the rules are, it would certainly make their job easier when they went in there. Officer McAuley said that if The Waterways Commission could work with The Conservation Commission to get some more signage out there, he's sure they could do some more patrols in the area. Scituate Resident, Dave Dauphinee added that he remembers back to the campaign mentioned above and the big deal was that the area was being over used for what it was intended for, for what it could sustain, and that the larger boats, larger trailers, and the larger craft coming in were powering up on their trailers, washing out the ramp into The Herring River causing a real shallow area trying to get to The Marina. He then said that it was a number of different things other than parking and to be careful when the board is looking at something like this as everything is connected. He said ultimately what happened was nothing, the parking was blocked off, and a plan was never put in place by The Conservation Commission to upgrade the ramp. He recalls lots of different talk of what should be done down there and personally remembers it being closed to people who used it and the job was never completed. Mr. Dauphinee then said if we fast forward to today where we increase the usage and increase the access, we still haven't improved the facility and referred to this as a push and pull type operation. He stated that in his opinion, The

Conservation Commission needs to devise a plan to update and maintain the property so that it can take the traffic that it's getting. Mr. Dauphinee then added that by doing this, then adding in more patrol of The Harbormaster in The River would be needed so this could go on and on. Mr. Murray suggested bringing Chairman of The Conservation Commission, Frank Snow, back to a Waterway's meeting to have a conversation on all of this. Mr. Dauphinee said that the most important thing is working together on this as it is a shared access. Mr. Gibbons remembers trying to work with The Conservation Commission a few years ago and having them not interested in doing anything about this. Mr. Mone agreed saying that it took him and Dave Sincoski three months just to get on the committee's agenda to mention The Waterways Commission's concerns about what was going on over there. He said the commission listened to them and after a year and a half striped the lot. Mr. Mone said this isn't The Conservation Commission's highest priority right now with them having such full agendas and this property functioning OK. Mr. Gibbons asked the board if there was an actionable item on the topic, to which the board agreed to just let it be. Mr. White reminded Mr. Gibbons of a gentleman from The Coastguard who offered to help with signs in the past and suggested The Waterways Commission reach out to him. Mr. Gibbons responded that he will get a few members to work on this for the next meeting. Mr. White offered to help if needed and Mr. Gibbons thanked him.

E. Letter Sent to Board of Selectmen on WW By-Law Proposed Changes

Mr. Gibbons stated that last month the board voted to send a letter to the Board of Selectmen for proposed by-law language change. He then said that that was done and sent off to them and they will look to include The Waterways Committee in their November 17th meeting. Mr. Gibbons said that he would be in attendance and encouraged anyone else on the board to do so if able to as well.

- **New Business:**

A. Financial Update – Brian Kelly

Mr. Kelly stated that he wanted to wait on this as he had said when sending out documentation to the Committee members prior to this meeting containing three documents that were received in the last 24 hours. One of which was discussed already this evening, Mr. Mone's FY22 Capital. The second document was the audited year financial for The Waterways Commission that run from 2014 through 2020, actual. The last document sent was the budget for FY21, which Mr. Kelly said was obviously yet to be finalized. He stated that the net here is money from FY22 that needs to be used in FY21. There are blanks on this document as well as numbers that are skewed because we need to pull away from this. These numbers should become available to The Waterways Commission within the next two meetings. Mr. Kelly then said that without taking too much of a deep dive on this, that the one key is that when you look at this, you'll see the revenues look really great and that the expenses are tracking not too badly upwards. He then said, however, the \$145,000.00, one

time FEMA reimbursement which occurred in FY20, has to be normalized. This reimbursement was for the pedestals and electrical. Mr. Kelly stated that conversely, on the expenses side it straddles over two years, so it really washes. The reality, he said, is that The Waterways Commission's numbers of \$1.37 million in revenue in actual FY20 will certainly reduce back in to the \$1.25 million range. Mr. Kelly encouraged the members of The Waterways Commission to take a look at the budget so that the whole board can then have a more meaningful conversation as there are certain areas that he is still in the process of expanding the information specifically. He said that the purchase of services still has a spike, which he believes was the pedestal and electrical. He mentioned that indirect costs is also something that is spiking and will stay as long as The Waterways Commission is running because of a very large spike in insurance costs for three reasons. One being an overall increase on general insurance for the buildings as well as personal insurance. Secondly, the state had an insurance fund that all the towns that had marinas were able to buy in to and ended that this year forcing us to private market which caused the increase. Finally, there wasn't ice damage insurance. With leaving the pilings and some of the dockaging in year round, that needed to be added. Mr. Kelly said that overall The Commission's insurance rates took a pretty healthy spike, totaling approximately \$25,000, which is what will be seen in the indirect costs. He said overall, the fund is pretty robust. Mr. Kelly said that the committee needs to figure out long term, whether or not a grant will be received for the docks, and what the commission wants to do on replacing and repairing if possible because if funded by ourselves we're looking at a very large debt expense. He said this would be somewhere in the vicinity of \$250,000 annually. Mr. Kelly then brought up the Long Term Debt Document. He said that the current debt shown here includes both last year's dredging and the new Harbormaster Fire Boat. This will show a short term spike but will drop significantly over the next couple of years on the debt side. Mr. Kelly is going to take two scenarios, one being a seaport grant is given, and the other is that it's not. He will then run it out over several years and forecast the revenue out to probably 2030 and figure out the impact which will then lead to conversations about whether or not there is an ability or not to either cut expenses or look at some type of mooring fee increase, etc. Mr. Kelly offered to meet with any of the board members if any questions came up after reviewing this further and will plan to take a deeper dive in to this as a whole committee at the next meeting. He informed the board that he had extended an invitation to Finance Director, Nancy Holt, to attend an upcoming Waterways Commission meeting and although she is extremely busy, he's sure if there is a way to make it fit, she will be there.

B. Discussion on Enforcement/Patrols within North/South Rivers and Spit

Mr. Gibbons stated that at the last meeting there were some people who spoke up wanting to have further discussion regarding enforcement along the North and South Rivers. He said that there were some people sharing their experiences. Mr. Gibbons informed the board that he had invited Scituate Police Officer, Brendan McAuley, to tonight's meeting so that he is part of the

discussion as well as for him to understand what's being talked about. Mr. Mone is on the call and understands, and Mr. Dimeo was invited as well but did not show. Mr. Gibbons reminded the board that pretty much all summer long, the board has talked about more coordinated patrols/lack of patrols up and down the Rivers. He thought there should be a discussion to try and get everyone connected. Scituate Resident, Dave Dauphenee, was the first to chime in. He stated that he can only say that he and his boating acquaintances saw a marked improvement as a result of the enforcement as well as the presence and the shared presence in the rivers. He gave his hats off to Officer McAuley and his staff for all they have done as well as Harbormaster Mone and his staff for always listening and enforcing what was needed. Mr. Mone thanked Mr. Dauphenee for his kind words and Officer McAuley for a great job. Mr. Mone said that he feels the three Scituate Agencies worked great together this summer. Mr. Dauphenee asked Mr. Gibbons if this topic could stay on the agenda for future discussion so that Marinas that service customers on The Rivers could be notified that The Waterways Commission and Harbormaster are going to be enforcing these rules to both educate and keep the waters safe. Mr. Cronin spoke and said he feels that this momentum should be carried over to the spring, continuing to have a presence down there to prevent it from getting bad. He said that boaters need to know that it is a No Wake area and the rules need to be followed. Mr. Gibbons spoke next and stated that in his own personal experience, this season was busier than he has ever seen it down there. He tried to avoid it because of this unless it was after hours. He said that he feels The Spit still needs additional enforcement as this is where everything is happening. Mr. Gibbons reported that he spoke with Marshfield Harbormaster Dimeo a couple of weeks ago and he informed the Chairman of a tool he wasn't aware was being used to help coordinate the patrollers down there. Officer McAuley said that echoing what everyone has already said, the problem was that this was probably the busiest season not only on the water but also on the land side for the Police Department. Due to Covid, marked increases in volume and a marked increase in the types of calls being received. He reported that they had a lot more significant and higher call volume on the water this year. Officer McAuley said that they tried to have the coordinated response as they never like to have all of their assets in the same place at the same time which does no good. He said not only is his Department responsible for The North, South and Herring, but also all of Scituate's coastline. He said doing a coordinated response was more important than ever this year. The system, CREW that Mr. Gibbons brought up is an app on their phones. One of Scituate's Officers, Mark Brennan, came up with the system a few years ago and they started using it with their organization, Champ, a training organization. Officer McAuley said that this sharing app has brought together 29 different communities, with about 217 users on it. He explained the app as a text messenger app where they can break it down in to different regions. This year the area was able to have its own region, which included Cohasset, Scituate and Marshfield. Harbormaster Mone and a few of his staff joined as well as Harbormaster Damayo and some of his staff. By using this app, instead of four different phone calls, one button is

pressed saying something like – “MP1 on the way, Brennan and McAuley on board”. These messages go out to everyone in the group, whether working or not. The Chief of Police, Officer of the Day in Boston, the Commanding Office in Point Allerton, and the entire boat crew at Station North Allerton also all receive the messages. Officer McAuley said they saw outstanding response from using the app and tried to specifically coordinate responses in The River. It seemed to be a huge help in this busier than usual season. He also said that The Environmental Police and State Police are also utilizing the app now. He is hoping that they can get even more people from this region on the app to make next summer even better. In addition to the water enforcement, Officer McAuley feels that they did a much better job on the land sides too. He also feels like although Covid drove up the sales of boats and paddle craft, this isn’t going away. These people are now invested in their purchases, making this an upswing. Officer McAuley stated that 9-1-1 calls were through the roof this year, many accidental because of software updates, both on the road and on the boat, but policy says the department has to respond to every call. Officer McAuley provided several situations from over the season both on land and sea to prove the point of just how much busier they were. He said he agrees that the agencies should show up earlier on the water next year to really show a presence as he is expecting it to be the same or busier than this year was. Mr. Mone thanked Officer McAuley for both the overview and the effort that was put in this season on the water.

C. DMF North/South River Shellfishing Closure

Mr. Gibbons stated that he had sent a notice out to the members of the board regarding closures in The River from The DMF. Typically they open back up November 1st for clamming in The River but have been closed until there has been more studies done. Mr. Gibbons asked Dave Dauphinee if he knew anything more on this. Mr. Dauphinee started off by saying that he is disappointed to say the least to get word of this notice two days before the opening. He said that he has since done a lot of homework, back work and talking to different people and has found out that basically The Division of Marine Fisheries is trying to be compliant with new rules from The U.S. Food and Drug Administration as it pertains to the critical aspect of The DMF Shellfish Growing Classification Program. He went on to say that what this means is that three years ago they came up with a bacterial test that The DMF will do weekly or monthly to test the water quality. Now, The DMF wants to do a viral test and in order to perform this test, they need to use some sort of dye release from The Sewer Plant in not only Green Harbor but Scituate too. Until that point, they have closed the flats down to any shell fishing. Mr. Dauphinee then stated that at this point he has found out that The FDA rules pertain to the interstate transport of sales of commercially harvested shell fish, which our area does not support. He said that he has poked a bit to try to find out exactly what’s going on and has found that they have closed it for a year as of today. They cannot close it next year. They would have to put it in to prohibited which would take anywhere from 5 to 7 years, from his

understanding, to open again and that would be in a different classification. Mr. Dauphinee said he has been doing this for over 47 years, and it's one of his first memories out on the water, shell fishing with his dad and has helped to get it as productive as it has so he's not happy and is trying to get a little more information on it all. The notice says that temporarily The FDA has agreed to allow the DMF to keep the areas MB5 and MB6 in closed status rather than downgrade the classifications to prohibited. Mr. Dauphinee said that he particularly enjoyed the activity this season as it was something he could do outside, socially distanced, with friends and have a great meal once returning home. He said his anxiety is over the instance that this remains prohibited, the flats as they're known now, will go foul. This will create mudders, clam flats that will die out, and the activity will stop. Mr. Dauphinee feels that the individuals that are consistent with clamming through the winter months are what keep the areas turned around and irritated?. He is now working on a game plan and hopes the town could dispute the findings or the closures of The DMF, as this regulation is for sale of commercially harvested shell fish and Scituate's is recreational only. Mr. Dauphinee said he went to Duxbury, where the charge was \$140 as an out of towners, stating this is the closest option there is at this time. Scituate Resident, Brad White said that Harbormaster Mike Dimeo tests The River waters weekly and is really clean. He was told that this is the cleanest The River has ever been making it not a bacterial or viral issue. Mr. Dauphinee said that this isn't due to what's going on now and the Covid virus and he is just not able to understand it all. Mr. White said that this issue needs to be taken to The Shellfish Advisory Board and The Waterways Commission should write a letter to The Board of Selectmen to dispute the DMF, who has closed it. Mr. Gibbons said that tonight's goal was to make sure that the board knew about it, discuss it, and see what we found out to then move forward. He then stated that he would reach out to The Shellfish Advisory Committee to see if they have a plan of handling this as of yet. Mr. Dauphinee offered his help to Mr. Gibbons. Mr. Kreutzberg asked Mr. Freidman if The Shellfish Advisory Committee is scheduling a meeting, to which he responded that they are trying to but haven't settled on a date for next week. He said he was unsure what he could share with The Waterways Commission, but he could say that The Shellfish Advisory Committee is aware of the legal actions that have been taken. This was then confirmed that he was speaking about Bassin Beach and that his committee hasn't spoken yet about The Rivers' closure. The board agreed that it would be nice to see this overturned as it seems ridiculous to close The River for an entire year for some dye tests. Mr. Gibbons stated again, that he would reach out to The Shellfish Advisory Committee to offer The Waterways Commission's help in next steps.

D. D. Mooring Ball Stickers – Brad White

Mr. Gibbons asked Marshfield resident, Brad White, to speak on this topic as it was something he had asked to discuss and Mr. Gibbons doesn't know the history on it. Mr. White described the problem as people who use other people's moorings, whether it be transient boaters or ones that chose to hop from smaller to larger moorings. He said that during a storm there isn't a visual indicator.

He said that three years ago he made a proposal and had said when everyone is scrambling to find a mooring, choosing one that is out of inspection wouldn't be ideal for anyone. He said that time his recommendation was to put a simple inspection sticker, similar to the ones on vehicle license plates. He said these stickers are about the size of a deck of cards and stick to the ball with each year being given a different color going along with the three year inspection cycle. Mr. White said that having a valid inspection sticker on balls, rather than just names and phone numbers, the person using it can feel confident using it. He said he went up to RFQ to look in to the quality and price as well as spoke with Marshfield Officer Blye and Ernie Foster at Webster Printing. Mr. White said Officer Blye came back with \$.20/sticker which would come on a roll. The recommendation was to use the same stickers that are used on shipping containers as they have individualized bar codes and can sustain the rigors of the ocean environment. Black with white letters was recommended as this combination would not get sun fade. Officer Blye's quote of three rolls came in around \$600 or Webster Printing said they'd cut them out so fewer could be purchased rather than the big rolls and he also has a connection with the price. Mr. White said that he feels this system is a good way to take care of people's property and boats in storms. Mr. Gibbons then asked if it's during storms that people actually go out using moorings that aren't theirs. Mr. White responded with "yes, it happens all of the time". Mr. Mone spoke up, saying that he understands what Mr. White is trying to accomplish, but thinks the problem is if there is a storm event coming and somebody goes out and sees a mooring with a black sticker on it and grabs the mooring while hours later the owner of the mooring comes back to put their boat on the now occupied mooring. He referred to this way is kind of like creating a free for all out there.

Mr. White said he doesn't think this is a free for all, he is just suggesting getting a sticker for lawfully registered boats as we do for vehicles. Mr. Mone sees this as, as long as a boat has an inspection sticker, they can just grab any mooring that's open out there. Mr. White is looking at this as an opportunity for The Harbormaster to see which boats are and aren't inspected. To this Mr. Mone responded that they already know this information as when the mooring renewal bills have the inspection dates right on the bill if it's due. Mr. White sees this as a twenty cent solution for the "bad guys". Mr. Mone raised the question to Mr. White, what would you do if someone is on your mooring? Mr. White responded with, "Kick them off". Mr. Mone explained to Mr. White that there is mostly likely no known way to get a hold of the owners, and these moorings are other people's property. He then said if there is someone in need of a mooring, they should contact The Harbormaster's office, The Boat Club as they have close to a half of a dozen moorings, or even The Yacht Club as they have members with moorings not being used. Mr. Cronin spoke, saying he thinks that what Mr. White is trying to accomplish is more of a visual representation that the inspection has happened located on the ball. He then stated that he knows Mr. Mone has all of this information in his files and the mooring guys and owners report to him but he was thinking that Mr. White's thoughts were giving even the mooring guys a reminder that this has been inspected. Mr.

Mone said they currently give boaters stickers with their inspection dates to put right on their boats. Mr. Murray spoke up telling Mr. White that what he is trying to do is admirable to coming up with a solution but that he feels there are two separate issues here. First, being policy, and second being implementation. Mr. Murray said that he came up with some interesting ideas that could probably work for implementation but on a policy that hasn't been discussed or confirmed yet to move forward with. He brought up that the question is an additional sticker on the mooring stating inspection is wanted by the commission. Mr. Murray then said that if it's decided to have some additional marking, then the discussion of what this will be can happen. He said that it comes down to Mr. Mone holding the mooring people accountable to having their moorings being inspected. Mr. Murray stated that personally he feels our mooring inspection system is working based on how little accidents there are. He does recognize, however, that we can always do better, and is aware that The Harbormaster is trying to do better. He stated that this way of doing things wouldn't drastically change anything as only moorings that are inspected can be there, meaning all there have been and if it hasn't been, out it comes. Mr. White stated that he agrees with everything Mr. Murray had said but what like to see how many would come back as not inspected that were supposed to be if Mr. Mone looked in to it right now. Mr. Mone said that this year stickers weren't given out for the first time due to Covid. All other years, if an inspection wasn't done, a sticker isn't given. Mr. Murray brought up maybe reinforcing the stickers and having the moorings inspected, as well as stating that The Waterways Commission backs The Harbormaster denying someone putting a boat on a mooring that hasn't been inspected. He feels as if The Waterways Commission Members pledges to hold themselves accountable to The Harbormaster, they will be showing the support of the committee. Both Mr. Gibbons and Mr. White agreed with the way Mr. Murray stated this. Mr. Mone told Mr. White that he understands and applauds him for what he is doing. However, he then said that he'd like to look at different ways of doing this. He reiterated that the moorings are other people's property, so he has some concern that some events, there will be people using moorings that aren't theirs. Mr. Mone would encourage these boaters to call around for openings rather than using someone else's. Mr. Cronin stated that he feels the process is always evolving but there are still some details to be figured out. He also said that no one but the mooring owners should be on it, without the consent of the mooring owner and The Harbormaster. He then said if this system were put in place, he personally would put an old sticker on his mooring, just so that no one else would use it. Saying that there are incidents that can happen that as the mooring owner, he'd be responsible for. The board agreed they were thankful for Mr. White's work and time on this and that figuring out if there is a need here or not will fall back to Mr. Mone and the inspection workers.

- **Participant Q&A:**

There were no further questions or concerns.

- **Adjourn Meeting:**
Mr. Gibbons made a motion to adjourn the meeting at 9:26 p.m., which was seconded by Mr. Murray, and voted all in favor (7-0); UNANIMOUS.