



**MEETING MINUTES**  
**Waterways Commission Meeting**  
**Wednesday, December 2, 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, Tucker Patterson, Steve Guard, David Sincoski

**Commission Members not in Attendance:** Dave Healy

**Others in Attendance:** David Dauphinee; Scituate Resident, Brad White; Marshfield Resident, Brendan McAuley; Scituate Police Department Marine Unit Officer, Maura Curran; Board of Selectmen Liaison

**Chairman Mike Gibbons called the meeting to order at 7:00 PM**

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

**Mr. Gibbons asked for a motion to approve the October 7, 2020 meeting minutes, a motion was made by Howie Kreutzberg and seconded by Richard Murray, voted majority in favor (7-0) to accept the minutes as submitted by roll call vote; UNANIMOUS.**

**Mr. Gibbons asked for a motion to approve the November 4, 2020 meeting minutes, a motion was made by Howie Kreutzberg and seconded by Brian Kelly, voted majority in favor (7-0) to accept the minutes as submitted by roll call vote; UNANIMOUS.**

**Harbormaster Report – Stephen Mone:**

**A. Update on new boat delivery**

Mr. Mone reported to the board that he spoke with Stewart Workman and got the update that the windows are to be delivered in two weeks. He said that the boat is pretty much done other than that. The plan is to bring it in on its own bottom in between The

Christmas and New Year Holidays. They will plan it by weather but there is a possibility to have to have it shipped down by truck. Mr. Kelly asked what the cost of that would be. Mr. Mone said he didn't know but he'd guess around \$5,000.

**B. Piling Project Status Update**

Mr. Mone reported that the fencing at Cole Parkway was installed. They have blacked out the parking spaces and the arrows and jersey barriers were put in to reroute traffic. He said that the crane is due to arrive on Friday and 68 piles are scheduled to be delivered on Monday and Tuesday. Mr. Kelly asked when the work will start and Mr. Mone said that that isn't known yet.

**C. Parking Lot Lights at Jericho Update**

Mr. Mone stated that he has been going back and forth with National Grid. He said that he has put in a purchase order to rent the lights from National Grid. It's been decided to start out with two, 250 watt, and high pressure sodium flood lamps for the parking lot. This will provide more light than the decorative lamps that were there. There was discussion on where the monthly bill would be paid through. It was also brought up that this is a short term fix only just to make it safe in the quickest way.

**Old Business:**

**A. Comprehensive Dredge Project Bid Status**

Mr. Mone said that this project was sent out to several engineering firms for bids. All questions needed to be submitted back to Mr. Mone by close of business yesterday and eleven questions were received back from different consultants. All questions have been answered and returned. Next Thursday the two prong approach bidding process will begin. Step one will be opening and reading all bids, qualifications, past work, and grade based on performance for this particular project. The second step would be to open the cost. Mr. Mone said that this is all going very well.

**B. Town of Scituate Mooring Rental – Suggested Mooring Rules and Regs Language Workgroup Update on Progress**

Rick Murray, Brian Cronin and Brian Kelly have been working on this and Mr. Cronin spoke on behalf of the group. He started off by saying that since the last meeting the following verbiage was added/edited;

“In the event of a hurricane watch or warning, The Harbormaster has the right to cancel reservations and require the boat owner to remove their boat from the mooring. The Town of Scituate is not responsible for any damage to vessels renting from town moorings.” And “No vessel shall occupy a transient mooring for more than 7 days in a 30 day period.” Which was changed from “in a calendar month.”

Mr. Gibbons shared the draft document with the committee from his screen. The edits were highlighted for all to see. Mr. Gibbons asked Mr. Cronin to read Section H, as this was new altogether. This read as follows; “Transient Moorings – The Harbormaster may maintain transient moorings for rent in Scituate waters. Nightly rental fees for The Town of Scituate transient moorings will be established by The Harbormaster. The fee would be per boat and does not allow for multipole boats to be rafted unless specifically approved by The Scituate Harbormaster.” Mr. Cronin said that from there it went in to the weather

clause to allow The Harbormaster to shut down mooring rentals. Also the clause referring to no more than seven days in a 30 day period to make sure that people aren't getting around the mooring waiting list, both which were mentioned above.

**Mr. Murray made a move to recommend to The Board of Selectmen that they modify The Regulations or allow us to modify as indicated, to which Mr. Kelly seconded, voted majority in favor (7-0) by roll call vote; UNANIMOUS.**

**C. Small Vessel Decal Study – Other Towns Policies**

**Workgroup Update on Progress**

Dave Freidman, Dave Sincoski, and Dave Dauphinee have been working on this and Mr. Sincoski spoke on behalf of the group. He started off by sharing with the group, a spreadsheet including other South Shore towns with kayak programs as well as procedures, fees, storage rack fees, and additional information he had learned.

Mr. Mone reminded Mr. Sincoski that the The Harbormaster has stickers to provide to owners. Mr. Sincoski suggested maybe promoting these more than is currently done.

Mr. Gibbons asked if the workgroup would like to take this a step further looking in to it all a little bit more, as he feels this is all good for the town but there is still a lot to implement.

**D. WW By-Law Proposed Changes Approved at BOS Meeting**

Mr. Gibbons shared with the board that The Waterways Bylaws proposed changes were brought up at The Board of Selectmen meeting and it was approved to take the draft and make the final so that it would be on the agenda for the next town meeting.

**E. DMF Shellfishing Closure North/South River**

Mr. Gibbons shared with the board that The Shellfish Advisory Committee had a meeting on November 18<sup>th</sup> and one of the items on their agenda that evening was the closures down there. He wanted to share that he felt that The Waterways Committee's discussions on the matter could hold off as The Shellfish Advisory Committee was working on it.

**New Business:**

**A. Financial Update – Brian Kelly**

Mr. Kelly had said he would get the board an update on the financials at the last meeting and has since met with Finance Director; Nancy Holt and has some updates to provide. Mr. Kelly shared a spreadsheet with the board giving all of the figures pulled from official down financials with Ms. Holt's assistance. The document showed actual numbers from FY17 through FY20, with FY21 still being in "budget year", being our current year. It also shows the first round of budgets for FY22.

Mr. Kelly, this is where we have our issue, the town operates on a fiscal year of July 1 to June 30. FY21 is concluded on June 30, moving in to FY22 on July 1. Based upon revenue expectations, which are conservative, as well as operating expenses, there is a surplus. Mr. Kelly asked that it be understood that needs to then be adjusted by debt service. Mr. Kelly asked to put focus on the change over from FY21 to FY22 on debt service, explaining that is a combination of two events. One of these is The South River Dredging Project and the second being the new Harbormaster vessel. The town's schedule was changed from a ten year schedule to a nine year, having an extra year spread out amongst the other nine years.

Mr. Kelly said that in addition, the way that the town does their debt servicing, they front end load the principal slightly so for the first five years of the note, we're paying a higher principal than we are in the last four years. He then said that in year one, which is FY22, we also have a bundled short term interest. This means for the builder, as we've progressed through this contract, we've been paying them in tranches of approximately 25%, as they hit certain milestones and completion marks. Mr. Kelly stated that that money was borrowed and applied to the first year so the net is a bit of a spike on our debt service running from FY21 to FY22. The result of that with an expectation of increased expenses, operating expenses, and flat line revenue, is that we're looking a shortfall. Mr. Kelly said that Mr. Mone's current budget shortfall is about \$80,000. With that said, Mr. Kelly reminded the board that these numbers are conservative on the revenue side because that's how it's done. He agreed that it's better to be conservative but not aggressive but did mention the Commission's waiting lists. Mr. Kelly said that our revenue should be somewhere north of 1.2 Million and the town has us at 1.175 Million, saying that he thinks there is \$40,000 in additional revenues. Mr. Kelly said a big problem we have is the dock upgrade and grants may not be available, going on to say that at some point we will have to move forward with using a dock program.

Mr. Kelly said that Ms. Holt will be attending our January meeting to give some further insight.

## **B. Possible Budget Shortfall Rates Discussion**

## **C. Marina Contract Amendment Language Update**

This is a topic that hasn't been discussed in a while so Mr. Gibbons informed the board that he added this in to The New Business Section of tonight's agenda.

Mr. Mone added verbiage from the last discussion verbatim and that was shared with the board. Under 2020 Contract Agreement, line number three, it states; "Slip Holders must hold majority (51% or more) ownership of the vessel or the sole or majority 51% or more of the corporation that owns the vessel of record a copy of the vessel or vessels registration certificate of title or U.S. Coast Guard documentation certificate of insurance and other documentation may be required by The Harbormaster to accompany this form. Slip Holder's name must be first on the U.S. Coast Guard documentation/state registration."

It was decided to change the word "corporation" to "entity". It was then further discussed that more cleanup was needed to change "vessel or record's" to "vessel of record's". No vote needed as this was a typo. The commission went over the changes made to the document back at the February 2020 meeting and "Launch and haul date" terminology was questioned and then decided to change. Discussion on Air B & B being avoided and added to the contract. Mr. Guard agreed to look over the document more closely and Mr. Mone will hold on to it, if possible, until the next meeting and if not he'll send it out as is.

## **Participant Q&A:**

None to discuss.

## **Adjourn Meeting:**

**Mr. Gibbons made a motion to adjourn the meeting at 9:14, which was seconded by Brian Kelly, and voted majority in favor (7-0) by roll call vote; UNANIMOUS.**