



**MEETING MINUTES**  
**Waterways Commission Meeting**  
**Wednesday, February 6, 2019**  
**WPA Building**  
**North Scituate**

**Commission Members in Attendance:** Brian Kelly, Chair; Howie Kreutzberg; Vice Chair; Michael Gibbons; David Friedman; David Sincoski; Tucker (James) Patterson  
Stephen Mone, Harbormaster;

**Commission Members not in Attendance:** Craig Rosenquist; David Glancy

**Also in Attendance:** David Haley; Steven Guard

The meeting was called to order by Brian Kelly at 7:00 PM.

**Brian Kelly made a motion to approve the minutes from the January 2, 2019, meeting, David Friedman seconded the motion; Unanimous vote (7-0).**

**Brian Kelly asked for a motion to approve the agenda, David Friedman made a motion, seconded by Mike Gibbons; Unanimous vote (7-0).**

**HARBORMASTER REPORT: Stephen Mone**

**Harbormaster Report – Stephen Mone**

**De-icer update:**

- Going well, ice is not forming
- Added second feed to the C dock because it was running short on voltage.

*Mike asked about the new feed, Stephen said that the de-icers use 7 amps a piece, but when they start up there is a spike. He further said that we were using 200 amps on C dock and the second feed brought it down to 80 amps, 40 on each side. The new feed will stay and we will add one on B dock in the spring; A dock already has 2 feeds.*

*David Sincoski asked if they all get turned on at the same time and Stephen said no that they get turned on separately.*

Stephen said that we had issues with the breakers at the Maritime Center, one breaker seemed to be overloaded, so we had to raise the voltage from 100 amps to 125 amps. The main lugs were loose as well, from the heat over the years.

#### CPM Project (Pending Commonwealth Activity)

- Tentative date is Feb 13 to meet with DEP (both sides), Town Administrator, Town Counsel and engineer. They want to come to the site to look at it. Since it is arbitration, it is not open to the public

#### River dredging project update (Funding/RFP decision)

- Meeting in Boston last week with Mass Housing and Economic Development (grant), they gave us the ability to go out to bid this spring; cannot roll it over. The contract has to be assigned by June 30<sup>th</sup> and the Town can hold the money. We can use the old RFP. MEPA study/survey will be done next week. Dredging would take place from Oct 3 – Feb 15, but there is a potential to dredge in July, Would do it weekdays only.

*Fran McMillen, 9 Bailey Road, Cohasset, asked why we did not receive more than one bid and if it was a money issue, Stephen said yes, it came in at \$1.5M and it exceeded the 20% threshold. We were late to bid, and there were other dredging projects going on in Boston and Plymouth which led to the low response. Phase I of the Plymouth project should be done when we go out to bid.*

*Mike asked about the bids that went out for the boat, Stephen said that he and Sean McCarthy worked on the bid package together with Chief Murphy's help. It was advertised in the required locations (Newspaper, Central Register and Comm Buys) and we had 1 bidder for \$428,500. The contract was sent out this week and then it will go to the Board of Selectmen once it is returned. Stephen said he was not sure why they only received 1 bid.*

#### Financials – Brian Kelly:

Brian reviewed current obligations, expiration dates, principle and interest

- Because of the delay in both Dredging and the Cole Parkway projects, both of these items debt impact are pushed out 2 years.
- There will be an end of fiscal year expense for the new HM boat in FY'20.
- The full year impact will occur FY'21, however some of the other larger debt services will start decreasing by then.
- Key projections: FY21 we thought it was going to be negative, however, we need more information from.
  - Used Revenue and Expense projections from FY20 through FY25 (used 1% revenue and 2% expenses), Brian said he used actual numbers from FY18 (audited). Brian said that based on his projections and with debt service adjusted due to the delay in dredging and Cole Parkway he felt that we are in

better shape than we originally expressed due to the delay of CPM and River Dredging.

- Based upon projections, the WWC will be using money out of retained earnings for FY 22 or FY23; depending upon Capital Projects we should be back on track.

*Stephen asked if there was any account for the late slip fees going into other years in the FY18 numbers. Brian said no, that it all seemed the same going back to FY12; the trend was consistent.*

*Mike asked about FY20, he said it appeared that the surplus was not carried out to retained earnings, Brian agreed. Brian said that it also did not have the 5 year plan overlay (Capital items).*

Brian said that FY22- FY23 will be a negative due to early year debt service on the HM boat, because a larger amount of the 10 year note hits [the budget] in the first few years. He also restated that a large amount of debt service runs out in FY25, but that the upcoming capital projects may replace it. He also said that they found some expense items that may be rehomed. **Brian said he will run best and worst case scenarios.**

*Rick Murray, 16 Collier Road, asked where the 1 % revenue increased came from, Brian said he took a 5 year and a 10 year snapshot to project the increase.*

Brian said they are also trying to determine if some of the expenses from the Maritime Center are coming from the correct fund.

*Mike asked about the \$60,000 that was charged back to Waterways on long term debt, (it was not charged in previous years in error) that is now going to be charged to the Waterways Enterprise fund as a debt service line item, Brian said Nancy has the information and he will stop by her office.*

## **New Business**

Discuss and vote on changing the date that invoices are mailed out, segregating out commercial vs. recreational:

It was previously discussed to change the date of invoices for recreation (not commercial) slips. They are currently due on April 15 and are mailed out on March 1st. Stephen asked if it would make sense to collect slip deposits before the season ends. Currently, the deposit for slips are due on December 1<sup>st</sup>. Stephen said some people walk away from the \$400 dollar deposit and if they cannot get a boat for the same size in the slip the Town loses money. Stephen said that the deposit date could be moved to September 1<sup>st</sup> and recommended that slip fee notices go out on February 1<sup>st</sup> and then would be due by March 15. He said it would be a contract change.

*Chief Murphy said that some people rely on tax returns to pay for slip fees and he also said you could give people their \$400 deposit back if they decided not to take the slip, Stephen said the \$400 deposit is not refundable.*

**David asked for a motion to move the slip invoice date from March 1st to Feb 1st with payment due on March 15th and move the deposit invoice date to September 1st instead of October 1st with payment due October 15th, instead of November 15<sup>th</sup> exclusive of commercial.**

*Mike McDonough, 53 Main Street, Norwell, asked if this change would affect insurance documents requirements since his comes up in April which is past the March date . Stephen said this change was for payment only and you could bring in your insurance documents before you move your boat into the slip. **Stephen said they would update the verbiage regarding insurance policy requirements to reflect the change.***

**Brian Kelly held the motion until the Commission can confirm with Mike Bearce how many slips are effected by the current date structure.**

Discussion and vote of increasing Slip, Mooring and Dinghy Fees for March 2019 or 2020:

### **Held until next month**

Mike suggested that we have a calculator built so we can see how the rate increase would affect revenue going forward. **We would need linear footage of each boat on slips and moorings. Brian asked Mike to create the calculator.**

Improving the ramp at the Driftway:

- David Sincoski said that if the ramp is not able to be used, people with small boats may have to use another ramp at the entrance of the ocean which would be dangerous.
- He suggested putting cement railroad ties on the ramp with a chain which would allow people to back their small boat or kayak down the ramp.
- There are areas where you cannot park and they are not clearly marked so the parking lot is hard to get around in.

*David Friedman asked if it was paved, Dave said yes.*

Stephen said we cannot do anything about the parking lot.

Stephen Mone said that the Jericho, Driftway and Cole Parkway boat ramps were looked at by Fishing and Boating Access last Spring . They were going to have engineers look at them. Stephen said he would like to add floats that sit on the dirt at low tide and raise back up as the tide increases.

**Howie said everything is owed by the Conservation Committee and we might want to check in with them.**

*Mike McDonough, 53 Main Street, Norwell, said the floats would have 18 inches up.*

*Rick Murray, 16 Collier Road, confirmed that the area is under the control of the Conservation Committee and that back in 2012 they had marked the parking lot for trailer*

parking. He also said that he was concerned about bringing in the State. He thought they would have a lot of control and are strict about ramp size and number of parking spots required.

*Brad White, 149 Old Main Street, Marshfield Hills,* said that the ramp was almost closed by the former Conservation Agent, Vincent Kalishes, but it was discovered that it was an original native American trail so Mr. Kalishes brought rocks in. Brad also said that the sign needs to be updated and that the ramp was originally designed for small boats only. Dual axil trailers should not be allowed to use the ramp.

Howie said originally that ramp was for 18 foot boats.

Brad further said that an organization called Ducks Unlimited raises money and that it is worth asking to see if they can contribute money. **He will follow up with Bob Blake of Ducks Unlimited.** He also felt that the Commission should have a proposal for the Conservation Committee and that they would probably be agreeable to suggestions.

David Sincoski said it could be approached as a safety issue. **David Sincoski and Brian agreed to work with Frank Snow and the Conservation Commission.**

Pedestal/Electrical: Scituate SCP/SMP Pedestal Electrical Project – Brian Kelly and Chief Murphy:

Brian Kelly passed out a PowerPoint presentation. He started by saying that Chief Murphy and Stephen Mone were concerned with current state of the Marinas.

- There have been fires on the docks due to electrical issues
- The prior March storm caused extensive salt water damage and corrosion
- FEMA and MEMA have been met with – will match 75% of cost to repair
- All equipment should be replaced
- Opportunity to make safe by replacing everything and making improvements in both Marinas \$280,000 actual cost of \$70,000 with 75% reimbursement
  - Raising panels to get connections out of the water
  - Have to complete the whole project to get reimbursed

There was a discussion regarding the timing of the project and the opening of the Marina. The equipment and the electricians would have to be lined up in advance, Stephen added that the pedestals would take 3 weeks to order.

*Phyllis Karlberg (26 Hewes Road),* asked about the number of pedestals outlined in the presentation. Stephen said that pedestals were needed at both marinas.

Brian asked if we need to do this even if we do not receive FEMA money. **Chief Murphy said that he is confident that we will get reimbursed and that he will find out tomorrow.** He is more concerned if we will be able to turn it around in a short period of time .

Brian asked if this situation was considered an emergency and if we would have to wait for Town Meeting. **Brian is going to meet with Nancy Holt tomorrow to discuss options.**

Stephen said because it is over \$50,000 it requires 3 bids and has to be advertised, which would take time.

**Stephen said Nancy is checking to see if they have to go in front of Capital Planning.**

*Mike confirmed that the marina starts going in the second week of March and that it is set by April 1<sup>st</sup>. Stephen said it takes a week and half to do the electrical work.*

*Brad White* asked about the cables, Stephen said they were corroded, Brad asked about insurance, Chief Murphy said the docks, cables and pedestals were not insured. Brad said there was a fire at King's Landing and thought this was a dangerous situation.

*David Friedman* asked if the issue was caused by keeping the docks in the water, Stephen said no. *David Sincoski* thought we could have this issue again in a few years if we leave the docks in. *Mike Gibbons* suggested getting better covers for the pedestals.

Brian said they would have to discuss types of materials for the new pedestals. Wood or steel which would cost under \$10,000 vs. \$22,500, respectively.

**Mike Gibbons said we should find out if we could do the emergency declaration.**

Stephen asked if you could separate out the project, Chief Murphy said you can't if you want to be reimbursed. Stephen suggested waiting on the pilings. Chief Murphy thought it was too early to pull them out of the project. Chief Murphy said you could purchase the equipment and not perform the labor, so you could buy the 6 pilings and request the reimbursement for the purchase only.

Brian asked about storing the pilings. Stephen said he had a location.

**David Friedman made a motion for the Waterways Commission to approve the use of up to \$300,000 for a safety and emergency repair as soon as possible or if necessary, as a capital item at the April Town Meeting, to replace storm damaged items including the pedestals, pilings, wiring, associated electrical equipment and labor for Cole Parkway, Scituate Marine Park and the Town Pier, seconded by Brian Kelly. Unanimous vote (7-0)**

*Steve Guard, Associate Member,* said you have a chance at getting the money as an emergency situation. He further said that we should not provide power if it is not safe, unless the Chief says we have to supply power in case of an emergency situation. **Chief Murphy said the power is not going on until it is safe.**

*David Friedman* asked what the Town would do if we did not get reimbursed, Stephen said we would have to fix it piecemeal.

*Phyllis Karlberg (26 Hewes Road)*, said most of the bigger boats are going to want power and you will have to fill the slips with smaller boats.

*Steve Guard*, asked if they have the ability to put a warrant item on after the warrant closes, Stephen said it would be a Special Town Meeting item.

#### Marine Unit Activity 2018-2019:

- Approximately \$45,000 for police marine unit salaries coming from Waterways budget (1 police officer, 1 cadet)
  - 300 hours which runs for 15.8 weeks
- Letter written to Advisory and Board of Selectmen
- Meeting with Town Administrator, Chief Stewart and a Deputy
- Letter sent by Chief Stewart with limited information that will be expanded on at the March meeting, as well as the Police Department's plans for the upcoming year.
- Chief Stewart agreed that he would rather have his own funding
  - Met with TA again to make another request to take out salaries, but the TA did not agree
  - Will pursue issue, and hopefully have the expense moved to the Police Budget.
  - The Police Department does pay for boat and salary difference if it is not a cadet.

*Fran McMillen*, stated that the description of the Enterprise Fund uses states that payment for public safety purposes are prohibited. **Fran will email a copy to Brian.**

**Steve Guard suggested reaching out to Rick Murray regarding the uses of the Waterways Fund because he thought he would be a good resource.**

David Friedman thought it was not too late to move the money out of the Enterprise budget.

Brian Kelly wanted to check with Advisory and the Board of Selectmen to see if they approved the Waterways and Police Department budgets. Brian will reach out to Shawn Harris.

*Brad White* asked if Stephen Mone had access to the cameras that Waterways had paid for, for surveillance purposes, Stephen said no and that it was considered a privacy issue. Brian asked when they were paid for, Brad said 6 or 7 years ago, when Dick Eckhouse or Mike Bearce was the Chair. Brian was hoping that the MOU with Marshfield would help to integrate the video feeds.

*Brad White* wanted to reintroduce the bi-annual "relay" of the shell fishing and wanted to know how we would do it. He said we would get them from the Taunton river, Stephen said he would not recommend getting them from there because of the heavy metals. Stephen suggested growing them from seed, then releasing when they grow. Brad said we could get them from another source and the cost would be \$2,500 and he would like WWC

to fund the project. Shellfish comes out of the general fund Stephen said. \$5,000 buys a trailer truck full we can split with Marshfield. Brian asked when it has to be done by.

David Sincoski reported for Craig Rosenquist. He said that Shell fish Commission activity had stalled, no one is responding to emails and meetings have not been set up yet. Craig has reached out a few times. **Brian will reach out to Mike Dimeo to see what is going on.**

Brian said that the Marshfield MOU was in the hands of the Marshfield Town Administrator and that Jim Boudreau has called and emailed. The Marshfield Waterways Chair is supposed to come to one of our meetings. Brian said that someone from our team can also go to their meeting.

*Brad White* said that they tried to do this in the past and Town Counsel was involved and it slowed the process down. Brian said he was aware of the past situation.

**Next Meeting: Wednesday March 6th** at Public Building Complex

**There being no more business to discuss, Brian Kelly asked for a motion to adjourn at 9:31 PM, a motion was made by David Friedman, seconded by Howie Kreutzberg; Unanimous vote (7-0)**

Respectfully submitted,

Lianne Cataldo  
Recording Secretary

**List of Documents:**

- Agenda
- Meeting Minutes from 01/03/19
- Financials
- Marine Unit Memo
- Scituate SCP/SMP Pedestal Electrical Project Presentation

**Agenda Items:**

- Discuss and vote on changing the date that invoices are mailed out, segregating out commercial vs. recreational.
- Discussion on potentially increasing Slip, Mooring and Dinghy Fees

**Follow Up:**

- Brian Kelly volunteered to run the numbers to understand revenue and actual dollar increases
  - Brian said he will run best and worst case scenarios.

- \$60,000 charge coming over to the Waterways Enterprise fund, Brian said Nancy has the information and he will stop by her office.
- Slip Fee Changes: Brian Kelly held the motion until the Commission can confirm with Mike Bearce how many slips are affected
- Mike to get linear footage of each boat on slips and moorings to create a calculator to see how rate increase would affect revenue.
- Driftway Ramp:
  - Brad White will follow up with Bob Blake of Ducks Unlimited to see if they have funds
  - David Sincoski and Brian agreed to work with Frank Snow and the Conservation Committee once we receive info from Brad White (Ducks Unlimited)
- Pedestal/Electrical Issues:
  - Chief Murphy said that he will find out if we will get reimbursed from FEMA
  - Brian is going to meet with Nancy Holt tomorrow to discuss options
  - Stephen said Nancy is checking to see if they have to go in front of Capital
- Marine Unit:
  - Fran McMillen will email the description of the Enterprise Fund uses to Brian
  - Steve Guard suggested reaching out to Rick Murray regarding the uses of the Waterways Fund
  - Brian Kelly wanted to check with Advisory and Board of Selectmen to see if they approved the Waterways and Police Department budgets. Brian will reach out to Shawn Harris.
- Brian will reach out to Mike Dimeo regarding setting up meetings for the Shell fish Commission

### **On-Going Items:**

- Stephen to find out what the cost of the new lock for the Maritime Center
- Mike Gibbons will work with Stephen to figure out the number of boats the Waterways Commission is paying for (insurance that are going out to auction or boats owned by other departments.
  - Brian will request documentation from Joe Divito for boats owned by the Town of Scituate
- Stephen said they would update the verbiage regarding insurance policy requirements if slip fees dates were changed
- Stephen Mone to start the process of selecting an engineering firm to start Master Dredging Plan
- David Friedman to work on discrepancies before sending final Slip Contract to Town Council for review
- Security Cameras for Harbor and Rivers:
  - Look into getting access to Marshfield cameras to see the rivers
  - Identify blind spots, check with Scituate Harbor Yacht Club to see if they would allow cameras on their property to help monitor the harbor.
  - Look into current live feed and to see if monitored by Police