



**Waterways Commission Meeting Minutes
Wednesday January 7, 2014
Scituate Library
7:15 pm**

In attendance: Bob McHugh, Richard Eckhouse, Peter Toppan, Mike Gibbons, Michael Bearce, Keith Walo, Fran McMillen, Brad White

Also in Attendance: Jeff Frank, Howie Kreutzberg, Shawn Harris, Brian Cronin, Dave Glancy, Vinnie Lanoue, Ethan Maass, Jim O'Connell, Christine Player,

I. Call Meeting to Order – 7:16pm

II. Acceptance of Modified Agenda - Eckhouse – 1st motion Bob, 2nd motion Mike

III. November 5th meeting Minutes - Eckhouse – Approved- 1st motion Peter, 2nd motion Bob

IV. Opening remarks - Eckhouse -

V. Old Business – Eckhouse

A. Transient Mooring- Peter reviewed what the group went over last meeting, since the motion was dismissed.

Brian: I thought at the last meeting there where two subjects; transient and leased boats; this would be two different votes?

Peter: Correct.

Brian: the origin of the fee was Mark Patterson proposing a fee to give something back. Maybe we look to the current Harbormaster to weigh in on this.

Bob: we do not have a final answer on the new harbormaster so maybe be hold off until we do

Brad: A side motion to remove the fee request, this seems to be point of angst to everyone. Everything else in the mooring pieces we have been working on seems to be ok? There was no determination on where it was going to go or how we got there

Vinny: We didn't want anyone to become a launch driver, that way we can license someone.

Peter: I have the language as it was written, and I would suggest acting on Brad's idea.

Motion to proceed- 2nd Brad White

Bob: Made a motion to table this discussion until there is a decision for a permeant harbormaster- No Second

Peter read the Transient Mooring bylaw as proposed

Brad: Line item 3, I still don't like the language: we don't specify the person has to be licensed

Brian: If you are bringing someone in on a coast guard approved vessel, you also have to be licensed

Brad: Motion to change verbiage to: By US coast guard launch operator, 2nd motion Peter

Brad: Point 2; Any yacht club or boat club moorings more than 5 transient vessels

Brian: that verbiage was in there form the old mooring law, you could have 5 moorings not registered to anyone but for transient

Brad: So that is ok.

Point 3; the owner on the boat has paid excise tax, A boat under 17' does not pay excisetax

*Brain: that is from the old regulation also, if he assigns a temp mooring to someone,
Brad the excise tax assigned to who is using the mooring
Shawn: registered and document boats charged excise tax, commercial boat are exempt.*

Motion to approved- Unanimously approved

Peter reviewed the second part to the new bylaw:

Motion to approve: 1st motion by Peter 2nd motion by Brad

Dave: would we able to put the borrowed or lease for 1 year

Peter: it is for one season

Keith: People play with the rules, so to put something in “unable to be used” it needs more definition.

Peter: I understand you objection, but it is for one season only under the harbormaster discretion

Brad: I hear what you are saying; legitimate people are usually in the harbor. It was not used and may have become a transient mooring who knows. I think this could be a good option

Is there anywhere else in the bylaw where the word “discretion” is used.

Howie: could Peter’s situation be remedied if Peter had the option to appeal the decision.

Dick: we don’t have a court system so there no place to appeal it

Brian: By adding harbormaster discretion are you going to angry the army corps?

Keith: Discrimination is a big thing here, in ten years I have seen people with 1% ownership so they can put their boat in.

Peter: Who pays the excise tax to the boat on that mooring?

Keith: there has to be level grounds where an honest person like Peter doesn’t have this happen to, but I know that there is going to people that take advantage of this.

Brad: It is a good point, what is the seriousness of not putting your boat in?

Dick: We aren’t going to change either of your minds

Peter: the only suggestion is that we table this, and have someone else rewrite this.

Keith: I will rewrite it

Dick Motion to table- Dick- No second

Peter we vote as it is and try this plan for a year or two. If it becomes a problem we can review this

Vote: 4 approved-3 opposed

B. Status of Capital Improvements- Bearce- New rugs are going in this weekend. The doors and windows are being replaced. There is talk about security cameras.

Town Pier- Moving along, I have heard no negative feed back

Howie: how is the budget?

Mike: currently under.....but will be on target

Brad: There is gentleman who has offered to donate wireless cameras on Damons Point and some on 4th cliff.

Mike: That’s great I would jump on board with that. I will talk with Bill, the cameras my not be able to be monitored by me but at the police station.

D. Status of South River Maintenance- Christine Player submitted plans to the committee, Total cost for the October proposal for damage from hurricane Sandy- (this grant was not approved) (~\$5M). The permitting process can be very timely, if the cost is an issue it can always be done in phases but you don’t have to go back for permitting.

Dick: we have spent a little over 5k of the \$50K. We don’t have any permits we can use to do any dredging now. I shared all of this information with documents I brought tonight. What Mark’s concern was the confluence of the North and South Rivers.

Brad: how long is the permitting?

Christine: To proceed with the maintenance portion, overall 6-8 months. Right now there is no disposal site, which will need to happen. A larger scale project will add a little more time. October-February is the ideal time, so permitting now is a perfect time to start the permit project.

Howie: We did this project 10 years ago, how much of that data is still available

Christine: that material was dredged and placed at a near shore site, that site was a one-time permission slip. We need a direct placement because the permit is expired

Howie: some of that material was to be put up on 4th cliff

Christine: It turned it in to quite the episode last time with the roll-over of the barge.

Brad: did these expire by design or mistake

Christine: the permits have a certain lifetime

Brad: can you re-up every year

Christine: no, we dredged in 2004, and the time expired

E. Shared Dredging from Sea Street Bridge to Marshfield YC- Dick- the Barnstable Dredge has not come to Marshfield and probably will not.

Shawn: This has been a project going for 10 years

Howie: this hasn't been vetted by this commission, how did we decide to give Marshfield \$100K when we haven't discussed it

Shawn: This will happen now, and next dredging venture will be Marshfield's urn.

Dick: we should have at least of been made aware of it

Shawn: I'm not sure if chairmen or harbormasters knew about this and didn't mention it.

Peter: Why give \$100K to hold in their escrow?

Shawn: we a joint venture they need the commitment from Scituate to get their portion.

Dick this is a commitment not necessary this money in hand.

Peter the money doesn't more until that need is there

Shawn: I know the commitment is there, I'm not sure on the transfer of funds

Brad: Both towns were blindsided in the case of the Barnstable dredge. Mike DiMeo and Mike Bearce are working hard to get grant money moving to get this work done.

Shawn: is this the Plymouth country Dredge?

Dick: No

F. North Jetty- Steriti/Ball- Dick we have pictures from our walk thru and we will have a report issued by the ACOE. In some places the stones have fallen to the side, and there are voids or exposed areas.

G. Can 11 blocked from view in harbor- Bearce- Talked to Fran and he has agreed to move the lobster boat in the spring.

H. GIS update- When you purchase a \$20K program, you need to make sure that IT maintains this.

Howie: It's a valuable tool that we spent a lot of money on. It did work initially and we need to establish it.

John: the towns that have a GIS person, they are assigned town wide to help out in emergency and for various projects. It is a specialty that IT personal may not be able to run solely

I. Liability Insurance requirement-

Mike: A draft letter has been prepared but there were a few things missing but it was a great start.

Ethan: I missed the last meeting, but the board of selectmen approved this change?

Mike: Yes

J. Salt Marsh Mitigation- Jim O Connell- Marine Park came out tremendous. By the time the park was 80% done there was mitigation for a fish habitat, which required 12,000 sq ft of salt marsh to be planted. Since the plans were changed half way through there were only 5,000 feet of salt marsh that were replicated. The Army Corps has sent a letter on non-compliance since the replication was not complete. Jim looked around town to find an upland site that had about 7,000 sq ft to plant. In lieu, a fee may be reauthorized; they are waiting on an answer. The original 5,000 sq ft has not taken hold due to fragmentizes,

K. Removal of Tucker Patterson's boat - Motion to have the Harbormaster ask Patterson to remove the boat or it will be removed at his expense if not moved by a certain date plus a fine - (Keith opposed) all others approved

VI. New Business

A MOU with Marshfield WWC- No objection 1st Motion by Peter 2nd Motion by Bob

B. Joint Meeting with Marshfield WWC- 4th Wednesday of February in Marshfield

C. Where to put the docks during the winter- Open

D. Excise tax to enterprise fund- we get 50% back to the enterprise fund, we have to go thru legislature to get 100%

VI. Adjournment – Eckhouse – 8:48

Next meeting date – February 4th

Chairperson: Dick Eckhouse – 2015

Vice Chairperson: Peter Toppan – 2016

Acting Harbormaster: Mike Bearce

Full Members:

David Glancy – 2016

Bob McHugh – 2016

Fran McMillen 2015

Keith Walo -2015

Brad White 2015

Mike Gibbons -2014

Associate Members

John Murphy

Don Hourihan

Michael J. Sullivan

Brian Cronin (wishes promotion to full membership)

Jeffrey Frank

Bill Schmid

Tom Anderson

Steve Guard

Wanting to be considered for Associate Membership:

John Vigilante

Vinnie Lanoue

Town Selectman Liaison

Shawn Harris

Recording Secretary:

Lindsey DeSimone

Respectfully submitted,

Lindsey DeSimone, Recording Secretary