



MEETING MINUTES
Waterways Commission Meeting
Wednesday March 1, 2017
N.O.A.A. Meeting Room
175 Edward Foster Rd.
7:00 pm

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

Commission Members Absent:

Also in Attendance: Shawn Harris (Board of Selectman), Charles Cristello

The Meeting was called to order at 7:00pm by Fran McMillen.

Acceptance of Agenda

Move that the Waterways Commission approve the agenda for March 1, 2017 meeting.

Motion by Brian Cronin Second by Michael Gibbons Unanimous Vote (7-0)

Acceptance of Minutes

Move that the Waterways Commission approve the meeting minutes for February 15, 2017 meeting. Motion by Keith Walo Second by Brian Kelly Unanimous Vote (7-0)

Opening Remarks:

Fran McMillen opened up the meeting by saying we will look at the questions that the Town came up with for the consultant, Charles Cristello.

Harbormaster Report:

Stephen Mone, Harbormaster, said that he met with the Army Corps today (3/1/17) regarding North Jetty repairs which should hopefully begin in the spring. They will start scheduling cranes to put the docks back in the water. They are still working on the South River Dredging project. Nancy Durfee is about to send out easements to property owners that are interested. Dick Eckhouse requested an update regarding Capital Planning Meeting. Stephen Mone said it went well and that he will meet with Advisory Committee tomorrow (3/2/17).

Rules & Regulations Report:

- “Was the search for ‘new revenue’ part of your requested task?” was the most asked question. The consultant’s answer was “No, it was not. The RFP required that I ‘review’ current fees charged for slips and moorings and comparability with similar communities.” David Glancy asked about fees being changed this year. Fran said no it would not change

this year.

- There was a question regarding people under age 18 being on mooring waiting list. Keith understands that you can't have a contract with someone under 18 but he doesn't think it's fair to remove people from the waiting list. He thinks they should be able to stay on the list until they're 18. Brian Kelly thinks it would be fair to grandfather them on the list until they're 18. Stephen Mone said he agrees with the consultant's recommendation. Brian Cronin asked if "new" people not be added if under 18 but grandfather people that have already been on the list that are under 18. David Glancy asked about people that are 18 but have been on the list since they were younger how that would work. Stephen Mone said they are 18 so it's a non-issue. The public commented that they do not agree that people under 18 should be removed from the list. A lady said that it's not giving children that are active in boating to have a chance at getting a mooring. Keith re-iterated that anyone currently on the waiting list that is under 18 would not be removed. Stephen said yes they would be grandfathered into the waiting list and would not be removed.
- 51% ownership being proved- Keith does not think it's a fair regulation. Fran thinks it's a valid rule. Stephen Mone said that if the Army Corps finds out that people are transferring moorings then the Town would be liable and might not get federal aid. Stephen explained that first name on all paperwork submitted will be the name on the mooring. Chuck Scheller commented that him and his siblings own a boat in thirds and wants to know more information because it would possibly mean he'd lose his mooring. The consultant said it would be something he'd have to work out with his siblings. Chuck said it's not fair from a financial standpoint. The consultant explained that the Harbormaster originally wanted to find a way to avoid people transferring moorings. The consultant read 25 different sets of regulations. He did see in other regulations addressing the 51% ownership- it avoids complexity. Chuck said it was unreasonable request to have to change ownership that has been in play for almost 40 years. Fran said unfortunately there will be situations that don't work out exactly how people want them to because they are trying to make it work for everyone as a whole. Stephen reiterated that the first person on all documents (insurance, registration, excise, etc.) will be the one on the mooring. Phylis Karlberg backed up Chuck saying there are people that have been in the harbor for many, many years and it's not fair. Tim Montgomery recommended "co-equal ownership" as appropriate language. Stephen O'Donoghue suggested removing 51% and just having "first names on all documents." Mr. Cristello said he did not see anything like that on other regulations. There was discussion regarding corporations, trusts, etc. and what name would be appropriate. **Move that the Waterways Commission recommend inserting the verbiage, in two places (1. registration of newly assigned mooring permit and 2. mooring rules and regulations under payment for mooring), "The mooring owners name must be first name on US Coast Guard documentation/state registration/title, first name on excise tax form and first named insured." Motion by Brian Cronin Second by Keith Walo Vote (6-2) Stephen Mone abstained**
- Transient mooring services: the general consensus was "if it's not broken don't fix it." Jerry Kane thinks it's important to add some language. Mr. Cristello said no other harbor addresses it. Michael Gibbons said a lot of it has to do with laws, because the moorings can't be rented. Keith said they spent two years working on a document but could never make it work.
- Topic of reporting if you're leaving your mooring- whether or not that should be required. Some people could come in without the mooring holder knowing. Stephen said people will

be getting fined if the boat doesn't have a sticker. Keith said a previous harbormaster used the rule in case the people didn't come back after 7 days, perhaps they were in trouble out of sea, for example. Stephen said there are many different reasons but mostly so that they know what's going on in the harbor. Michael Lorusso reminded the public that this is not a new regulation.

- Phylis Karlberg mentioned the new regulation about being on your mooring for a total of 30 days up from 14 days. She said a lot of people like to travel. Stephen Mone said that if someone would be traveling a lot just to notify him. Michael Lorusso said the intent is more so to prompt people to use their mooring and notify the Harbormaster so that they know. Fran said there are plenty of boats that are put on moorings for a small amount of time, without engines. The public thinks those people should be penalized, not everyone. The consultant thinks it's splitting hairs on a small point by talking about changing the time from 14 to 30 days. The consultant saw 30 days on many other regulations.
- David Friedman asked about the required sticker on boats. Stephen Mone said that if someone does not comply and are fined but still don't comply, he can take the mooring away.

Motion to accept the consultant's report of rules and regulations as amended by Michael Lorusso second by Michael Gibbons Unanimous vote (7-1) Stephen Mone abstained

New Business:

Adjournment

There being no other business a motion was made by Michael Lorusso to adjourn at 9:25pm second by Brian Kelly Unanimous Vote (9-0).

Respectfully Submitted,

Kelli Rodgers
Recording Secretary