

MINUTES OF WATERWAYS MANAGEMENT COMMITTEE MEETING

SEPTEMBER 26, 2006

A Meeting of the Waterways Committee was duly called and held on Tuesday, September 26, 2006 at 7:00 p.m. The meeting was called to order by the Chairman, Norman Peloquin. The following people were present: Mr. Peloquin, Robert Metcalf, Warren Hathaway, Gerald Hickey, Roger Race, Chris Hemingway and Ira Perry. Also present was Mr. Steven Melo, Harbormaster.

Mr. Peloquin reviewed the agenda for the evening. Mr. Hickey moved to accept the agenda. Mr. Race seconded. So Moved.

The minutes of the meeting of August 22, 2006 were reviewed. Mr. Peloquin said on page 2 under New Business CBC should read **Mr. Peloquin said he was contacted by CBC to see whether they could use our property for parking.** Mr. Hathaway moved to accept the minutes. Mr. Race seconded. So Moved.

Harbormaster Report.

Phone Problems. Mr. Melo reported that the office phone was down for a week. He said that many phones were out in the village. He said that he would be putting a notice on the web that the phones aren't working and a recorded trouble message would greet all callers.

Amber Boat. Mr. Melo reported that the boat is in the water and was done under budget. It currently goes 48 knots. He said that he is working the bugs out of the boat, it seems to be fine. The radar is working. The boat can be used for rescues as is. Mr. Melo said he feels that all the boats in the department should be named, there are a few now and with names it would be easier to identify. Mr. Melo reported that the Police Department doesn't want anything to do with the vessel naming. Mr. Perry feels that the Harbormaster Office should name the boats. Mr. Hathaway suggested using safety-type names. Mr. Hickey feels the Harbormaster should have the final say on the names. Mr. Melo said there would be a press release regarding this boat at a later date.

Attempted Thefts/Vandalism of Boats. Mr. Melo said there have been some minor problems, which seem to be centered around bridge fishing. There have been minor thefts on the pump-out boats. There have been hooks found stuck on the boats. He also said that people are going under the bridge at night. He has spoken in past years with Michael Gagne regarding the problems with the fishermen. He said Mr. Gagne is not receptive to limiting access to the fisherman. He said that alot seems to be going on when the bridgetender is not on duty. Security cameras cannot see under the bridge. Mr. Hickey suggested getting cams to try to stop the damage. Mr. Hemingway suggested having a security guard patrol the bridge. Mr. Hickey said in the past the Village has had problems, they hired security and the problems seem to stop. Mr. Race said that it might be a good idea to light up the back of our property for security purposes.

Brian Valiton. Mr. Melo said Mr. Valiton is in charge of issuing Army Corp permits. He came down to inspect the army corp. permits in Dartmouth. They want to be sure the permits are in compliance. He said they checked out Salters Point and Hayes Mooring and found all to be in compliance.

Etchells National Championship. This was hosted by the New Bedford Yacht Club. They got the necessary permits and it went on without problems. This was good publicity for the area. Mr. Hickey said that it was well organized. There were no complaints. Mr. Hathaway said the people involved were very impressed with this area.

Old Business.

Mooring Issues.

Dale Whiting. Mr. Melo sent a letter to Mr. Whiting and received a certified response asking what he has to do. Mr. Melo sent him the regulations in print, which he apparently did not read.

Mr. Wolstenholme-Reppert. Mr. Melo has not heard from Mr. Wolstenholme, his mooring will not be renewed according to the Commission discussion. Mr. Reppert had sent a check to Mr. Wolstenholme for renting the mooring. Mr. Melo said Mr. Reppert is the permitted user of the mooring and sent a letter of explanation. Mr. Wolstenholme has not filed an appeal. Mr. Peloquin suggested not doing anything until an appeal is filed.

September 15, 2006 Deadline Report. The following updates are on the people that were granted until September 15 to solve their mooring situations.

Beetle, Inc. Two permitted sites paid and used as directed.

Stanley Baron. Two moorings, one boat. Second site was relinquished, gear removed, back to one boat-one site.

William Hester. He had a large vessel on the mooring; he has a new approved vessel of record on it.

Tom Bigsby. He also got an approved vessel of record for his mooring.

Jack Kirkpatrick. He chartered a powerboat in his name and used it on the mooring. He paid his waterways user fee. Mr. Melo has no problem with this solution.

Osteen. Mr. Melo said there has been no resolution here. Mr. Hathaway said that he spoke with Ms. Osteen and there seems to be a misunderstanding. Mr. Hathaway told her to call Mr. Melo and suggested writing here to remove the mooring. Mr. Hathaway said that this will free up a spot on the North side.

Bradford Moore. One Boat, Two Moorings. He will keep the north side and the Bay View site will be reassigned.

George Correia. He also had two moorings, one boat. He moved the North side site to appropriate area, but still has no boat on either site this summer. He said Mr. Correia admitted, in the past, the North side was a storm mooring.

Mr. Riccardi. They have filed a new mooring application, waiting for an assignment. The NBYC has allowed them to use a spot when needed.

Mr. Means. Mr. Melo said that he has spent a lot of time on this application. Mr. Melo sent him the information and Mr. Means would still like to be on the waiting list, but Mr. Melo has not heard anything on this.

New Business.

Internship. Mr. Melo said that he was approached by SITEC regarding regrading the harbor. It will be an intern working through UMass. Mr. Melo said that the intern would work at UMass and give possible ideas for the regrading of the harbor. Mr. Melo said that this will be started in the next few weeks and it would cost the Town nothing. He would supply the information and the intern will work with it. SITEC will oversee the project. Mr. Melo said they will be looking at the swing circles and how to fit the most boats in the area.

Commercial Permit Status.

Salters Point. Mr. Melo said that the Army Corp. has granted their permits, they have put down the proper weight and are in the grid. He said the Commission has to determine if they get commercial status. Mr. Hickey asked what they have to do. Mr. Melo said that they have 5 moorings, and are organized with a principal place of interest in the Town. They would like to charge a fee to offset the cost. Mr. Hathaway said that we have previously given them a list of things to do and if we review the notes, we should be able to tell them what to do to get a commercial permit. He feels we have already done this research. Mr. Wayne has to pass everything they do by the Harbormaster. Mr. Melo said that the moorings were empty when they were there in early September. Mr. Hathaway said that they are willing to work with the WMC. Mr. Peloquin said that given the location, it will not impact the general public.

Concordia, Inc. Mr. Melo said that they have often acted like any mooring problem is always the other persons fault, and they have been observed moving mooring sites without approval. Mr. Melo said that Concordia does inspect their own moorings. Mr. Melo said that Mr. Brian Valiton told him that Concordia has no Army Corp of Engineers permits and didn't want public hearings to obtain Corps permits. They have to post and mail public notice and reapply for ACE permits. Mr. Metcalf said that Concordia has moorings all over the harbor. Mr. Melo said that Concordia has updated their rented buildings, but made no progress toward Corps permits. Mr. Melo said that the Commission has to be consistent enforcing all regulations. Mr. John Hayes said he has researched ACE permits a lot, while he was getting his permits. Mr. Valiton told him that the Army Corp. likes permits with all the pieces in place. He said that Davis & Tripp is trying to get their permit, but Concordia feels they do not need a permit and have no intention of getting one. Mr. Peloquin said that our regulations are consistent; he would like to get an opinion from

The Attorney General on what to do with a commercial entity with 170 moorings and no Army Corp. of Engineers permits. Mr. Melo will check into getting an opinion from the Inspector General. Mr. Hathaway asked how many commercial entities are being certified by Towns but are not certified by the State. He said if the State Regulations state you need to have ACE permits, Concordia will need it. He suggested checking with area Towns to see if it is required. Mr. Melo said that Concordia always told him that they applied for the ACE permits and were waiting for an answer. Mr. Peloquin suggested getting the necessary answers and revisit this next month.

Mooring Plan for Padanaram Harbor.

Mr. Melo said that Concordia's future will be a factor in this. Mr. Melo said that according to the Army Corp. each Town dictates where the moorings will go. Mr. Hathaway wants to be sure that the public will view us as an open commission and upfront with the public. Mr. Hickey said that the WMC is friendly to everyone. Mr. Peloquin said we have to be consistent with everyone. Mr. Metcalf asked that if Concordia operates from Gulf Road, where will they be putting the vessels in the water?

Public Comment.

Mr. John Hayes said that he has had issues with Concordia in the past regarding the assigned areas of the harbor. He feels they are trying to run the harbor with the 170 moorings.

Mr. Don White asked if the repaired Harbormaster boats will replace one or be added to the fleet of Harbormaster vessels. Mr. Melo would like to have two rescue vessels and two patrol boats. Mr. Melo said that his jurisdiction is 3 miles out, but he goes further in case of emergencies. It is good to have back-up for each vessel to allow for servicing equipment.

Mr. Metcalf said that during new installations of moorings, the harbormaster should always be present.

Mr. Peloquin asked that a season wrap-out report be made for the next meeting. Mr. Hathaway asked if he could have a list of moorings granted to waiting list people. He stated most questions asked of him are regarding the waiting list.

Mr. Peloquin said that new officers should be appointed at the next meeting.

The next meeting is scheduled for Tuesday, October 24, 2006.

It was moved and seconded to adjourn the meeting at 9:14 p.m.

Respectfully submitted,

Diane L. Vieira