

MINUTES OF WATERWAYS MANAGEMENT COMMITTEE MEETING

FEBRUARY 13, 2007

A Meeting of the Waterways Management Committee was duly called and held on Tuesday, February 13, 2007 at 7:00 p.m. The meeting was called to order by the Chairman, Roger Race. The following people were present: Mr. Race, Robert Metcalf, Norman Peloquin, Warren Hathaway, Gerald Hickey and Chris Hemingway. Excused was Mr. Ira Perry. Also present was Mr. Steven Melo, Harbormaster.

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

Mr. Race reviewed the minutes of the meetings of January 23, 2007, January 23, 2007 Executive Session and January 30, 2007. Mr. Hickey moved to accept the minutes of January 23, 2007. Mr. Metcalf seconded. So Moved. Mr. Hickey then moved to accept the minutes of the Executive Session of January 23, 2007. Mr. Hemingway seconded. So moved.

The minutes of January 30, 2007. Mr. Hemingway stated he would like it referenced in the minutes that if any permission is granted by the WMC to Concordia for use of the town landing for the proposed shuttle service; he would like to see the overflow problem taken care of at the same time not at a later date. He feels it is important that if permission is granted for using the town landing, Concordia should also try to help us with the overflow-parking problem. Mr. Hickey moved to accept the minutes with the change. Mr. Hathaway seconded. So Moved.

Harbormaster Report.

2007 Billing Process. Mr. Melo stated that the Commission is being given the actual bills that will be mailed out. He said that a return envelope has been provided to mail to the correct Town address. The due date will be stamped on the envelope. A copy of the current regulations will also be enclosed. He said that if the resident wants the permit mailed to them, they would have to enclose a stamped self-addressed envelope which will save the department approximately \$800.00 in postage. He said if there were any outstanding excise taxes or waterways fines due that would be indicated with a big red X. Mr. Race said that it was a good job and as simple as possible for the owners. He said that the deadline is March 30, 2007 as indicated.

Mass. Maritime Hazwoper Certification. Mr. Melo said that he has been invited again this year to return for his re-certification, it is a one-day course required for recertification. A one-day course is all that is required if the certification is kept current, otherwise a 40-hour course is required to re-certify.

Mr. Wolstenholme Correspondence. Mr. Melo handed out a copy of the letter received from Mr. Wolstenholme regarding non-renewal of his mooring permit. He told Mr. Wolstenholme he would forward the letter to the WMC. He said that the mooring would be available for reassignment this year.

Boat Insurance. Mr. Melo stated he has received the invoice for insurance for the boats which amounts to \$11,300. He has received a breakdown from the insurance company. He said that we have two types of insurance: hull coverage is similar to collision insurance for cars and the second is P & I insurance, which covers us if we cause damage to another's property or person. He said that he is not sure if the hull damage will do us any good, he said that most damage is fixed in-house. He said that the Jet Ski should have coverage because we do not own it. Mr. Melo said that he will look into dropping the hull coverage for our vessels and taking the 13' Boston Whaler off line, he isn't sure if it is worth the insurance for it. It was only used a few times last year. Mr. Peloquin feels that there should be one policy covering all the boats owned by the department and we may be able to save some money. Mr. Melo said that all the policies and coverage were decided without input from him. Mr. Melo feels that the little paid for surplus vessels would not cover the deductibles. Mr. Race feels that the WMC need more information on this. Mr. Hemingway asked how the insurance was taken care of before. Mr. Melo said that this is the first year he received this information or bill. Mr. Peloquin would like to see the policies for the boats.

Hill St. Party Wall. Mr. Melo said he spoke with Mr. Ben Baker who is contacting someone to repair the wall that is shared with the Town. The Engineers will be there Tuesday and he will meet with them. He said that we try to keep the area clear of growth and attractive as a sitting area. This area offers great views of the North Harbor and a small amount of access. Mr. Hickey said that the second phase of dingy racks will be located there. Mr. Race said maybe a set of concrete steps could be put there for safety.

New Business.

Boat Excise Boat Policy. Mr. Race would like to know if there are any comments on the policy. Mr. Melo said that the state law says where the boat is principally moored is where the excise tax should be paid. Mr. Melo said that people apply for abatements because they pay excise tax to another town to have a mooring there and state law only requires that the tax be paid once. Most towns require that a boat pay the excise tax to that town in order to be eligible for assignment to or use of a mooring in that town. Mr. Melo said there are about 18 people that have not paid their excise tax to Dartmouth because they claim they have paid it elsewhere. Mr. Metcalf asked if the Waterways Enterprise has received last years excise taxes. Mr. Melo said that it has been deposited in the budget.

Mr. Melo said that he received a list that there is approx. \$57,000. in outstanding excise taxes and penalties due. He said we are entitled to half the tax plus the fees attached to it. He said by State Law he cannot allow anyone accommodations in the water if they have outstanding excise taxes. Mr. Melo said that the Registry is alerted to outstanding boat excise taxes, they cannot renew the registration. Other Towns are now publishing a list of the delinquent taxpayers on the website. He said that boaters have to contact the Assessor at Town Hall to take care of excise tax issues. Mr. Melo said that he would like to adopt both new policies. Mr. Hemingway feels this should be done. Mr. Hickey said that if someone applies for a waterways sticker they will receive a letter stating what has to be done to get that sticker. If they don't have the boat now, they have to go to Town Hall to abate the bill before it comes off the list. Mr. Melo said that the Collector will also stop giving launching permits to delinquent boat excise taxpayers. Mr. Hickey said that he doesn't feel it is necessary to put the names on the website. Mr. Race said it would be easy to put someone on in error. Mr. Hemingway suggested that the Town Collectors office should keep track of this list. Mr. Melo said he could update the list or the Collector can update the list at the same time they update their list. Mr. Melo said that some delinquent payers trailer their boats so they have no direct contact with his office.

Mr. Melo said that under the new policy, he would notify the assessor's office that if someone seeks excise tax abatement they will not be entitled to hold a mooring permit or rent one. He stated that if someone goes in for an abatement, they will be told that they cannot get a mooring in Dartmouth. This is only a policy change, not requiring Town Meeting approval. Mr. Hickey moved to place the policy before the Waterways Management Commission that this be enforced this coming season. Mr. Metcalf seconded. So Moved. Mr. Hickey said that as with other matters, the Harbormaster has the authority to make exceptions as needed. Mr. Melo said that Harwich has their delinquent list on the website. Mr. Peloquin is concerned that the list be updated on a regular basis. Mr. Melo said that the delinquency list now comes from the deputy Collector. Mr. Race said to contact the Town Collector to see if they can keep the list updated. Mr. Metcalf suggested speaking with Mr. Iacaponi. Mr. Race said he will try to speak with him.

Old Business.

Concordia, Inc. Ms. Carol Hill asked if the Commission received the e-mail from Mr. Peter Corbett. Ms. Hill said that the ACE will be reviewing the information sent to them, they want to review the materials before they set up a meeting with Concordia. Mr. Race said that Mr. Corbett is keeping him updated on the progress. Mr. Hemingway said that Mr. Corbett said he would forward to the WMC a letter from October, 1989. Mr. Race will contact him for a copy of the letter.

Concordia's letter to the Select Board for commercial use of the landing. Mr. McGregor said that they are in contact with the Select Board. Mr. Melo printed out and distributed the rules of the Town Landing. He said that previously the Select Board was in control, now there is a Waterways Commission. He said that the Select Board can work in conjunction with the WMC. Mr. Peloquin asked if Concordia has contacted the Public Access Board. Mr. McGregor said they are focusing now on using the ramp. Mr. Metcalf said that they have allowed other commercial entities to use the landing ramp, providing they pay the \$300

commercial launch fee. Ms. Hill said that they will be paying it. Mr. Melo said that the Public Access Board may consider the amount of use of the landing by any commercial entity in relation to public use.

Commission Goals. Mr. Race said that he would like to compile a list of goals. Mr. Hickey said that they should have a brainstorming session to just list the goals, then have a meeting to list them in order of importance. Some suggestions were: revise mooring regulations; revise mooring fees; Hill St. use improvement; Gaffney Road improvements such as kayak racks; regriding of the harbor; friendly open communications with boaters; implement Genoa's newspaper articles; Rogers Street parking, dredging, capping; sewer drainage at Rogers St; education; CBC communication; more dingy racks; causeway improvement; explore town landing and building piers, slips. Mr. Race will make the list and e-mail to the members. Mr. Melo said there will apparently be a commercial tenant at the Gulf Hill bucket at the beach this year.

Public Comment.

A resident in attendance said that the guard at the beach wouldn't let him park near the fence. Mr. Melo said that there is an agreement with the Park Department that boaters without trailers can use Park Department spaces with our season pass in exchange for the Park Department using the landing parking during the concerts at the beach.

Mr. Hickey asked about walking dogs on the beach. Mr. Melo said that there currently is a Town by-law stating that no dogs are allowed on any beaches in Town, public or private, but he is not about to comment on that other than to say that it should not apply to department rescue dogs in training.

Mr. Hemingway asked about the Town Master Plan. Mr. Race spoke with Mr. Donald Perry and they will be keeping the WMC involved in the plans. Mr. Melo said that the Planning Board is also addressing the subdivision of South Wharf, including the extension of Harbor Street to the waterfront.

Mr. John Hayes said that he has sent the WMC a letter to increase the number of his commercial moorings. Mr. Melo said that Davis & Tripp, Cape Yachts and Pioneer have also sent in letters for more Commercial moorings. This will be added to the Commission Goal list. Mr. Metcalf said to add Town owned Moorings the list.

The next meeting is scheduled for Tuesday, March 13, 2007 at 7:00 p.m.

It was moved and seconded to adjourn the meeting at 8:30 p.m.

Respectfully submitted,

Diane L. Vieira