

MINUTES OF WATERWAYS MANAGEMENT COMMISSION MEETING
MAY 13, 2008

A meeting of the Waterways Management Commission was duly called and held on Tuesday, May 13, 2008 at 7:00 p.m. at 12 Rogers Street, Dartmouth. The meeting was called to order by the Chairman, Gerald Hickey. The following people were present: Robert Metcalf, Roger Race, Warren Hathaway, Chris Hemingway and Norman Peloquin. Also present was Mr. Steven Melo, Harbormaster.

Mr. Hemingway reviewed the agenda for the meeting. Mr. Peloquin moved to accept the agenda. Mr. Hemingway seconded. Mr. Hickey amended the agenda under adding New Business Boat Insurance, Rogers Street Engineering Service quote, and WMC personnel Mr. Ira Perry's replacement. Mr. Hathaway moved to accept the agenda as amended. Mr. Race seconded. So Moved.

The minutes of the meeting of April 15, 2008 was discussed. Mr. Peloquin moved to accept the minutes. Mr. Race seconded. So Moved.

Harbormaster Report.

Unpaid Mooring Permit & Excise Tax. Mr. Melo gave out a copy of the unpaid mooring list, which has 48 people on it. He also gave a copy of the unpaid excise tax list, which includes about 10 people on both lists. Mr. Melo asked what the WMC would like to do with this. He stated that the Town By-Law states that if the mooring fee is not paid by May 1st the mooring is not renewed. Mr. Peloquin and Mr. Race feel that fair warning has been given in the past few years. Mr. Melo stated that the excise taxes go to all boat owners whether stored in the yard or in the water. He said that the unpaid excise tax list is down to a third of what it was years ago. He said that there is about \$9,000.00 outstanding. He stated that the state law requires payment before any mooring permits are issued. He explained that the excise tax covers from July of the previous year to June of the present year, this causes some confusion with the owners. Mr. Melo said that the excise tax list is done by the Town Collectors Office; he said they use the Mass. Registry list and the harbormasters database to calculate the tax. He said that the Collectors office gives him a delinquent list and he notifies boaters they will lose the mooring permit if not paid. Mr. Metcalf feels that a letter should go out stating that they should remove their equipment due to non-payment. Mr. Race & Peloquin agreed. Ms. Carol Hill of Concordia stated that she will follow up with her clients. Mr. Race feels that a post card should be sent to all stating to remove their gear. Mr. Hathaway stated that it will be up to the owner to solve the problem. Mr. Hathaway asked what would happen to owners who pay the excise tax now after the deadline and have paid all the other fees. Mr. Melo said that it will be fine, but as of May 30th they will have to remove the gear and vessel. Ms. Hill suggested adding that if the gear is not removed it will be stored at the owners' expense. Mr. Race said that the ten people who have not paid either taxes should lose their mooring.

Mr. Hickey asked about the unpaid mooring list. Mr. Melo said that there are 48 people on this list. Mr. Race said to send a letter to remove the gear. Mr. Peloquin suggested stating that the permit is not renewed due to failure to comply with the Town By-Laws, to please remove their gear. Mr. Hickey asked what will happen to the owners that come right in to pay. Mr. Peloquin suggested leaving the final determination to the Harbormasters discretion, based on past years' history. Mr. Melo said he would like to send a letter stating the deadline as come and gone with the bill sent to the last known address and if not paid by May 30th to please remove their gear, if not removed it will be removed and stored for 30 days at the owners expense. Mr. Hickey feels that any exceptions should be at the Harbormasters discretion. Mr. Race moved to send the letter. Mr. Metcalf seconded. So Moved.

Boat Needs List. Mr. Melo handed out a list of boats that he would like for the department. He reviewed the list of boats and what is on them. He said that two pump-out boats are needed in our harbor. He said that during the summer both are in the water at the same time. Mr. Melo stated that the Fast Response boat is the orange boat; this one is used in emergencies and can be used for towing. He said the department also needs a Rescue Boat with a door to be used for swimmers or divers quick exit. He also stated the department needs a Winter Response Vessel with a cabin enclosed to the elements and this allows the summer boats time out of the water. The River/Shallow watercraft is a smaller vessel to be used in the rivers around town, able to go under the bridges and can be transported on a trailer. A jet Ski has been invaluable for the department, fuel efficiency and quick response is needed and it also allows presence to be seen on all Dartmouth waters. Mr. Melo is looking into ways

to obtain one for the department. Lastly, a Special Purpose Barge would be invaluable with the Town Moorings and float maintenance. He said if one comes up he would like to purchase it. Mr. Hickey agreed that the Department should have a rescue ski.

Boat Inventory List. Mr. Melo gave out a list of all vessels, what is department owned or otherwise owned. He reviewed the list. Mr. Metcalf asked about the boats at the DPW. Mr. Melo said that they were federal surplus acquired by the Police Department. One will be for Harbormaster use and the other is up to the Police Department. Mr. Hickey asked what is lying around that we have no use for. Mr. Melo said that he has to check the engines on some boats to see what is worthwhile to keep.

Vehicle Inventory List. Mr. Melo said that the pick-up truck is getting a hitch attached for the boat trailers.

Mr. Metcalf asked about the Shellfish boat – the Parker. Mr. Melo said that it's not his vessel and he doesn't want to assume the responsibility for it. It was removed from the slip and put on a mooring by Davis & Tripp. It's not a WMC department vessel. Mr. Hathaway said that he feels the boats stored at Rogers St. should only be WMC vessels. Mr. Hemingway asked if Mr. Melo could give an updated status on the boat inventory at every meeting. Mr. Melo agreed. Mr. Hathaway said that he would like Mr. Melo's opinion on each vessel.

Personnel Update. Mr. Melo said that he is scheduling the different functions for the department. He said the clerical assistant is working out very well and he would like to bring in another assistant for both the office and to be on the water to replace Mr. Manchester. He said that when he was on vacation in April he left instructions for the clerical assistant if needed. He said that there is no specific #2 person to leave in charge. He said that the public also seems to be responding positively to the clerical assistant. Mr. Hickey said that the department has to be visible to the public to justify the rate increases. Mr. Hathaway asked if Kitty will still be the newspaper correspondent. Mr. Melo said she couldn't attend tonight's meeting but she is still interested in doing it. Mr. Hickey said that the chain of command is Mr. Michael Gagne gives Mr. Melo the day-to-day instructions for the department. The WMC sets the policy and tries to enforce it. He feels when Mr. Gagne gives instructions to Mr. Melo, Mr. Melo should in turn notify the Chairman of the WMC, and also the WMC members by an e-mail, this way all members can voice any opinions they have to the Chair only. Mr. Hathaway moved to approve this policy. Mr. Race seconded. So Moved.

Old Business.

Concordia USACE Permit. Ms. Carol Hill handed out a copy of the e-mail she received from Mr. Brain Valiton. She said that ACE would like to have a meeting on June 3rd with the people who requested one. Mr. Hickey said to include it in their next meeting; June 3rd is Town Meeting, no other meeting can be held. Mr. Hemingway suggested Monday, June 2nd to set up this meeting. Ms. Hill said that Karen Adams will come to the meeting with Mr. Valiton. Mr. Hickey said to set June 2, 2008 for the meeting at Town Hall, if enable they will change it. Ms. Hill said that this is the only available week for Mr. Valiton and Ms. Adams. Ms. Hill said that two people wrote to ACE requesting a meeting on Concordia. Ms. Hill said that ACE said this is a public meeting not a public hearing. Mr. Melo said that the Old Town Hall is also available for meetings.

Rogers Street Update. The lot has been cleared. Mr. Melo said that he sent a letter to the neighbors and he has received no response from them. Mr. Peloquin said he received one call from Mr. Downey asking what is happening. He invited him to come to the meeting with any questions. Mr. Hemingway said he heard from one neighbor who said their fence has come down due to poison ivy, would the WMC replace it. Mr. Melo said we will be taking a fence down and maybe they could have the old one. Mr. Hickey said he met on May 7th with Mr. Michael O'Reilly, Architect Steve Gioioso of SITEC, Kevin and Mr. Race regarding the lot, the fence has to remain until things are complete. He said that the contaminated area has to be covered with asphalt. Any soil from the contaminated area cannot be moved to an uncontaminated area. Once the asphalt is laid down it cannot be broken. The DEP is looking to use this site as an example of a capped contaminated area. Mr. Race said that the runoff has to be simple. Mr. Hickey said they also are looking into using the rocks as the barriers on the property. Mr. Hickey said that when the DEP decides on the area it will be the final say. The entire area is considered under the DEP. This should be decided by the end of June. Mr. Hickey said that Mr. Gioioso has prepared a survey; topographical map of the area including a design to be reviewed by Mr. O'Reilly and Mr.

Donald Perry. This design will include parking area layout, draining/drainage design, layout design and construction detail. All meetings with Town boards will be covered under this contract; the end result will be a biddable document. Cost by SITEC will be Task 1 – Survey \$1,900.; Task 2 – Design Concept Plan no charge; Task 3 – Construction Level Plans \$3,800. for a total of \$5,700.00. Mr. Race said that the plans are 99% done. SITEC has done the work in the past. Mr. Melo said another company has approached him. Mr. Metcalf said he feels this is a continuance of the job SITEC started in the past that was never completed. Mr. Peloquin moved to accept SITEC's quotation for services as outlined. Mr. Hathaway seconded. So Moved.

Wind Energy. Mr. Melo said that the Fairhaven site is out based on the birds in the area. He said Fairhaven is looking into putting two on their landfill for their own use. Mr. Race said that the islands and off Barney's Joy is still being considered. Mr. Hickey feels that since this impacts the Dartmouth waterways we should be informed on any progress with this.

Boat Insurance. Mr. Peloquin sent a quote to all the members. St. Paul Insurance has come back with a broader coverage plan. He said there is added coverage that we didn't have in the past. It will now cover the Buzzards Bay area and the islands, and the docks and moorings we have; we will also have overland transit coverage. The premium is \$13,045. including the police and shellfish boats. He said that St. Paul underwrites a lot of municipalities in Massachusetts. Mr. Race agreed that this is a better policy. Mr. Hickey said that Mr. Gagne has given the OK to go with the new plan. Mr. Peloquin said that if the Shellfish boat isn't being used, we shouldn't have the insurance on it. He said that the insurance company only requires pictures of the vessels for the policy. Mr. Peloquin said he also received a quote from Ace Marine and it was higher. Mr. Race moved to accept the quote from St. Paul. Mr. Hemingway seconded. So Moved. Mr. Hemingway suggested letting the Town know we are not going with the old policy. Mr. Peloquin will send Mr. Gagne an e-mail notifying him of the WMC vote.

WMC Replacement. Mr. Hickey said he as a letter from Mr. Michael Gill requesting to be on the WMC as a replacement for Mr. Ira Perry. Mr. Peloquin moved to replace Mr. Perry with Mr. Michael Gill; he feels with Mr. Gill's work in the Town he will be a good replacement. Mr. Hickey said that others have asked about the position. He said we should notify Mr. Gagne officially that Mr. Perry resigned. Mr. Peloquin said he feels that the WMC should recommend a person to Mr. Gagne. Mr. Hathaway said that the procedure should be for the WMC to review the applications and submit a recommendation to the Select Board for the WMC position; the Select Board will then appoint the person based on the recommendation. Mr. Hickey said that in the beginning the Select Board appointed the WMC and had an alternate list to replace the original people. Mr. John Hayes said that when Mr. Szala resigned he was asked to be on the committee but because he had a vested interest in the harbor he shouldn't be on the committee. Mr. Peloquin moved to recommend to the Select Board that Mr. Michael Gill be appointed to replace Mr. Iran Perry for the balance of Mr. Perry's term and any future terms. Mr. Hemingway seconded. So Moved. All in favor. Mr. Race said that Ms. Kathleen Horan-McLean spoke to him about the position.

Public Comment.

Mr. Don White said its good to see progress on Rogers Street. He also said that the by-laws allow people to serve on the WMC as ex-officios'. Mr. Peloquin said we have in the past but not recently.

The next meeting is tentatively scheduled for Monday, June 2, 2008 at 7:00 p.m. at the Town Hall.

Mr. Metcalf moved to adjourn the meeting at 9:15 p.m. Mr. Hemingway seconded. So Moved.

Respectfully submitted,

Diane L. Vieira