

MINUTES OF WATERWAYS MANAGEMENT COMMISSION MEETING
JULY 29, 2008

A meeting of the Waterways Management Commission was duly called and held on Tuesday, July 29, 2008 at 7:00 p.m. 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. Hickey introduced the new member of the Waterways Management Commission, Mr. Michael Gill.

Before starting the meeting Mr. Hickey called for a moment of silence for the boat accident and the loss of D.J. Walsh and injured Mr. Hathaway.

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

The minutes of the meeting of June 19, 2008 was discussed. Mr. Peloquin moved to accept the minutes. Mr. Metcalf seconded. So Moved.

Harbormaster Report.

F/Y 2008 Budget. Mr. Melo said that F/Y 2008 has closed. He reviewed the budget stating that 97.6 % of the salaries were expended. The expenses for 2008 included purchase of the Jet-Ski. He stated that about \$9,244.51 will be returned to retained earnings. The WMC thanked Mr. Melo for a job well done.

Jet Ski Purchase. Mr. Melo said that the Jet-Ski was purchased and needs to be added to the insurance policy.

Ms. Lori Russel-Pelsue. Mr. Melo said that Ms. Lori Russel-Pelsue was appointed an Assistant Harbormaster by the Select Board to replace a departing Assistant.

Boat Collision. Mr. Melo said that there was a collision between Wings and Overdraft. He said that the Overdraft, which was moored and un-occupied, belongs to his brother so he handed the case over to the Environmental Police for investigation. He said that the damage to the Overdraft was over \$25,000.

Junior Regatta. Mr. Melo said he had a rough end to the weekend with the regatta and he sent an e-mail to Marilyn at the NBYC. He said there were a few problems that he addressed. He stated that the resident boaters not involved with the regatta felt "invaded" by the regatta patrons. He doesn't want to end the regatta, but he would like to see more cooperation from parents of participants. He said speed seems to be a problem; the parents drop off the youngsters at the Yacht Club and then race to the landing to get their support boat out of the water and onto a trailer to return to the Yacht Club, and then home. Mr. Peloquin asked if Mr. Melo was happy with the response from the Yacht Club. Mr. Melo said that the Yacht Club will help and is willing to support the Harbormaster budget with funds for more safety patrols in the harbor on that weekend. Mr. Hathaway said that Mr. Melo should use his penalty powers to ticket any speeders. He said that the Yacht Club will tell the parents at the pre-meetings to observe the rules of the road and the harbormaster office. He said that the ones that cause the problems should not be spared from the penalties for their actions. Mr. Melo said that he will look into the matter regarding help with the larger regattas. He said the support is needed when the boaters all try to leave the harbor.

Lifeguard Drill. Mr. Melo said that the Park Department cancelled the lifeguard drill this year. He doesn't have the reasons why but it has not been rescheduled.

Dartmouth Police Arrest for Assault & Battery on Harbormaster. Mr. Melo handed out a copy of the police report for an incident that happened on July 9, 2008. Mr. Melo said that he was called-in late at night by police for a boat seen moving around the harbor without lights. He said that the history referred to in the police report happened last year with the same individual, at that time the parents handled that incident. Mr. Melo did not ask for the arrest, but an assault on him happened in the presence of the police and they made the arrest. Mr. Hickey asked if the WMC should make a motion to pull the mooring of the owner of the vessel in response to this incident, especially since this was a second problem involving that person's mooring permit. Mr. Hemingway said to let the courts handle it. Mr. Peloquin asked if there was regulation on bad behavior, or if there should be one. Mr. Hathaway feels that the Police Department is taking care of the incident at this time, and the issue of the mooring permit involved could be re-visited at a later time after the court takes action.

Boat Update. Mr. Melo said that the Zodiac is at Davis & Tripp to be checked out. Mr. Melo said that two surplus engines checked out good to be put on the whaler. He said that we will get three good engines out of the four we received for free from military surplus.

Old Business.

Concordia Mooring Update. Ms. Carol Hill of Concordia was present. She handed out copies of the e-mails she has received from ACE and the second handout is copy of the unpaid waterways fees. Ms. Hill said that no public hearing will be required by ACE and that Mr. Brian Valiton will be on vacation for two weeks and the deadline of September 15th is approaching. Ms. Hill asked that the WMC consider an extension of 6 weeks to the deadline to October 30th. She said that as of yesterday, Mr. Valiton has not reviewed the items and she asked that Concordia be put at the top of his list of things to do. She then called Ms. Karen Adams who said that she will be on vacation next week and that Mr. Valiton will be working on it before he goes on vacation, this way Ms. Adams can review it with Mr. Valiton before his vacation. Ms. Hill said that Ms. Adams is hoping to have an answer before September.

Mr. Hickey stated that he would like to have two WMC meetings, August 12th and September 9th, to be able to discuss Concordia's situation before the September 15th deadline. He feels there are a lot of things going on such as Concordia and Rogers Street. Mr. Peloquin feels that the extension requested by Ms. Hill can be delayed until after the next two meetings. He feels that extending the deadline will not leave Mr. Melo any time to make plans for the next boating season. Mr. Hickey feels that the deadline extension should be delayed until after the next two meetings. Ms. Hill said that Concordia's lawyer asked that the results of a vote on the extension be put on paper. Mr. Peloquin said that since a written response is asked for by Concordia's lawyer he moves that the extension be denied. Mr. Race seconded. So Moved unanimously.

Wednesday Night Concerts. Mr. Peloquin requested this be put on the agenda. Mr. Melo said that before he was Harbormaster it was agreed that the Park Department could use the landing on Wednesday nights. Later it was agreed, in return when needed, boaters could park in the beach parking lot, but only without trailers. Mr. Melo said that the concerts have grown, in the past he put assistant harbormasters on duty but, it was a large expense to the boaters with no return to the Department for the labor expense. Parking tickets were written in volumes, but the tickets given were challenged with much grief. He said that concert cars park at the landing and up West Smith Neck Road. Mr. Melo said that the commercial bass fishing season is coming and the people that pay to use the ramp would be upset if they cannot launch and park because of the concerts. Mr. Melo said that he has not yet received any complaints from boaters regarding the parking; he said that the Park Department does clean up any debris left behind. Mr. Hickey said that he will discuss this with Mr. Gagne when he meets with him.

Rogers Street Update. Mr. Hickey thanked Mr. Race for the hard work he has done on this project. Mr. Race said that there will be a meeting Tuesday, August 5th at 7:00 with Con-Com regarding this project; they would like the WMC to attend. He stated that Conservation is behind the project and SITEC has done a good job. He hopes to get approval for the project next week, and then it can go out for bids. Mr. Hickey said he will check with Mr. Gagne about the bidding process when they meet. Mr. Race said that there will be a detailed engineering package to be bid on. Mr. Hickey feels that it will have to be advertised with sealed bids. Mr. Peloquin said that we are on target to get it done. Mr. Race said that he is getting high prices to pave the lot. Mr. Hickey said that the neighbors are told that they can come to the meetings to see what is happening. Mr. Race said that the people will see the beach from the parking lot. Mr. Race said that the DEP still wants to use this site as an example of what can be done to a problem lot. Mr. Race said that LED Solar lighting will be used at the site. He said he is working with a U-Mass professor and SITEC on the lighting. Mr. Race said that they will not have to go before the Planning Board since Donald Perry has seen all the plans.

Transportation Charge for Surplus Buildings. Mr. Hemingway asked if the Waterways Enterprise has paid for the transportation of the buildings. Mr. Melo said that they were charged about \$3,000. for the transportation and that the DPW has also paid for some of the transport charges. Mr. Hickey said that he told Mr. Gagne the WMC would discuss it; he will bring it up when he meets with Mr. Gagne, and he wants to know if the Waterways will own one of the buildings. Mr. Hathaway feels that sending Mr. Melo to get the buildings was the Waterways contribution. Mr. Melo said that the shipping charge was taken from the FY 2008 budget.

New Business.

Waterways Subcommittees. Mr. Hickey said that he would like to establish two subcommittees for the purpose of exploring all issues related to commercial and municipal moorings assignments. He would like them to meet before the next meeting so that by September the WMC will know everything about the moorings in the harbor. Mr. Peloquin said that Mattapoissett has regrid the harbor, part was done a few years ago and they will complete it. Mr. Hickey said numbers will be drawn to determine who is on what committees. Mr. Peloquin moved to create the subcommittees. Mr. Hathaway seconded. So Moved.

Mr. Hickey said he would also like to start discussion on regridding the harbor. Mr. Race said that he has done work in the past and regridding should increase the number of moorings by 15%. Mr. Hickey would like to see data to back up the regridding of the harbor.

G.Bourne Knowles Mooring Permit Revocation. Mr. Melo said that he received a request for permitted use of mooring 39-06. He said he found out that there was no inspection since 2002. No mooring was found labeled with that number. The gear found by Mr. Knowles didn't match the old gear records. He said that two sets of mooring gear were removed by Davis & Tripp and neither match what should be there. He also said that he had no application for a trolley set-up being used on the shoreline by Mr. Knowles. Mr. Melo said that all the fees have been paid by Mr. Knowles. Mr. Knowles apologized that he didn't read the permits good before paying them. He said that once Mr. Melo notified him of what has to be done he has talked with Davis & Tripp to start the moorings; he isn't sure what happened with the moorings, he thought they were there. He said that he has been dragging for the moorings and can't find them. Mr. Knowles said that he will do whatever the Harbormaster wants done. He said the Whaler was in the water so his children would have something to use until the moorings were inspected. Mr. Hathaway said that it will be hard to determine where the gear went and it is best to start from scratch and put in new moorings. Bill Arneson of Davis&Tripp said that it wasn't inspected since 2002 and the moorings have been mixed-up. Mr. Peloquin asked why it took Davis&Tripp took so long for the inspection. Mr. Arneson said that Mr. Knowles waited 6 years to schedule the inspection and the delay since being requested to inspect in March of this year is not the problem. The delay was due to no markings being on the gear to be inspected and also the barge was at another location when the request was initially made. Mr. Knowles said that he will put in two new sets of gear. Mr. Hickey said to put approved gear in, Mr. Knowles agreed.

Public Comment.

Mr. Melo said that the WMC received a thank you from Ms. Natalie Dias and the family of Arthur Dias. Mr. Peloquin said that he feels the orange boat should be named for Arthur Dias. Mr. Hemingway feels it is the appropriate thing to do. Mr. Hathaway moved to name the orange boat in memory of Arthur Dias. Mr. Peloquin seconded. So Moved. Mr. Peloquin said that a plaque should also be put on it.

Mr. Hathaway feels that the first column published in the Chronicle on the Waterways Department should be on the accomplishments of the Commission. He doesn't feel the first column should be on the Commission itself. He said that there is alot of accomplishments that could be written about such as Rogers St., the dingy racks, etc.

Mr. Robert Tavares was present. He said that he signed off on a mooring on the north side this season and it hasn't yet been assigned to the waiting list. Mr. Melo said that it is a busy season now and he is trying to work on the north side list when he can, while dealing with the USCG mandated changes to the south side. The mooring policy is now that the people have to remove the moorings when they lose or give-up their mooring permits, just as they removed their boat from the water. The Harbormaster will no longer be responsible for the sale of mooring gear belonging to prior permit holders. Mr. Hickey said that this is a public comment period and if Mr. Travers wanted to discuss this he should have set up an appointment to be on the agenda.

The next meetings are scheduled for Tuesday, August 12th and September 9th.

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

Respectfully submitted,

Diane L. Vieira