

MINUTES OF WATERWAYS MANAGEMENT COMMITTEE MEETING

MAY 17, 2005

A meeting of the Waterways Management Committee was duly called and held on Tuesday, May 17, 2005 at 7:01 p.m. The meeting was called to order by the Chairman, Gerald Hickey. The following people were present: Mr. Hickey, Robert Metcalf, Roger Race, Robert Szala, Norman Peloquin, Warren Hathaway and Dr. Arthur Burke. Also present was Mr. Steven Melo, Harbormaster and Julian Race, Assistant Harbormaster. Mr. Metcalf was representing the WMC at the Finance Committee and would arrive later.

Mr. Hickey reviewed the agenda for the evening. He explained that the regular meeting will be adjourned and the Public Hearing will start, then will return to the regular meeting. Mr. Hathaway moved to accept the agenda. Mr. Race seconded. So Voted.

At 7:07 p.m. the regular meeting adjourned and the public hearing started. Dr. Burke moved to adjourn to and open the Public Hearing. Mr. Hathaway seconded. So Moved.

Mr. Steven Melo explained the purpose of the Public Hearing. He read the advertised notice of a public hearing that was published in the May 8 ,2005 New Bedford Standard Times. Mr. Melo then read the proposal regarding dinghy storage as previously voted by the Commission. Mr. Hickey explained there are two issues: First, To identify all dinghys left on Town property, these will require an annual fee of \$10.00. This will enable the WMC to identify dinghys left on town property. Secondly, Construction of dinghy racks for reserved storage. This rack system will require an annual fee of \$35.00. This will reserve a spot on a rack for storage of dinghies; each rack would hold five dinghys. They will start on the south side of the bridge and continue until all town ramps have the racks. Mr. Melo said that there are 67 dinghys left on the shore now; the racks would hold approximately 130 dinghys in the same area. He also said that presently there is no guarantee that your spot will be open when returning from the water; the racks will guarantee your spot. In the past, there have been fights over the spots. This system will be more orderly and efficient. Mr. Hickey said that in the areas with the racks, dinghies would not be permitted to block access to the front of the racks. Mr. Hathaway said that surrounding towns all have rack storage; the storage fees are higher than what the WMC is proposing. The dimensions of the units are 16' long by 5' wide and they will be locked down. Each dinghy space is 32-1/2"; the uprights are 4' x 4' and could be used to secure the dinghy. One resident complimented the WMC on the design of the racks.

Mr. Russell Luiz, a commercial shell fisherman, was concerned on getting a rack and asked why they are doing it now. Mr. Hickey explained that this is only the second year the WMC in operation and they are now trying to organize the harbor more efficiently. The fisherman is concerned about making his living and having another obstacle in his way. Mr. Hickey said that since he has had a spot for years and it is his living, he would get a spot. The fisherman said that he would like the same spot he has now; explaining he is there all year and other dinghys are only seasonal. Mr. Hickey said that the meeting is to get input from all concerned. The fisherman said that having a reserved spot is a good idea. Mr. Melo said that the racks are removable, and they can move them in the winter if the weather is bad for them. Mr. Hickey said that it is a town landing and since everyone has access to it, they are trying to accommodate as many people as possible. Another resident asked if there would be regulations on the shape of the dinghy, some are in rough shape. Mr. Melo said that if a dinghy cannot stay on its side, it is not safe to be in the water.

Mr. Steve Turner Jr. asked how many commercial fishermen there are on the water. Mr. Melo said there are between 8-12 active fisherman in recent years. Mr. Turner suggested giving the commercial fisherman first choice of the dinghy spots. Mr. Hathaway agreed that this was a good idea.

One resident suggested bolting the racks now so they will not move if the water reaches it. Mr. Melo said that there are plans to anchor and bolt them down but still have them remain movable in case of storms.

Mr. Hickey said that the WMC is trying to determine the best way to implement this system. Mr. Hickey said any information received from the people involved daily would help the WMC. Mr. Melo said this will start at the Apponagansett landing and then go to the other town landing areas, the bridgetender landing will need another type of storage system.

Mr. Luiz asked about the plans for Rogers Street. Mr. Hickey said that it is not on the agenda but the WMC is working on that area. They would like to clean up the area and hopefully it can be used for a shellfish and recreational launching area. The Commission has applied for a Harbor Trustee grant for this area.

One resident asked when they could start putting names on a list for dinghy spots. Mr. Hickey said that the WMC would be discussing this. Mr. Peloquin suggested putting a notice on the dinghys that are there now. Mr. Melo suggested some options that are available to assign spots; such as a lottery type system; a first come-first served system, or a blend of these with preference given to commercial fisherman. Mr. Hickey said consideration should be also given to people who area there now. Mr. Hickey said that some towns have a system that if owners do not want a rack, there is another area to keep all the other dinghies in.

Mr. Hathaway moved to take tonight's' discussion into consideration and come up with a fair system giving preference to commercial fisherman and the people that store dinghys now; he said to make sure everyone is notified of this. Mr. Peloquin seconded. Dr. Burke amended it to have a sticker put on all the dinghys telling the owners of the process and notifying them to get in touch with the Harbormaster. All in favor to discuss this at the next meeting of the WMC, Monday, June 6, 2005; this will give three weeks to get in contact with the dinghy owners.

Dr. Burke moved to adjourn the Public Hearing at 7:50 p.m. Mr. Race seconded. So Moved.

The Public hearing was concluded and the regular meeting of the WMC resumed.

The minutes of the WMC meeting of April 26, 2005 were reviewed. On page 2, Mr. Flinagin should read Mr. Flenniken. Mr. Race moved to accept the minutes. Mr. Hathaway seconded. So Moved.

Harbormaster Report.

Landscaping at Town Landing. Mr. Melo stated that Mr. Manny Morro from Town Hall has been taking care of maintenance at the landings. At the suggestion of Mr. Morro, Mr. Melo feels that his department could take care of it with the proper equipment. He is requesting a

lawnmower and trimmer to use at these locations; he has found some used equipment which might be rebuilt.

Unpaid Mooring Registrations. Mr. Melo stated he has made every effort to contact everyone. He said that the majority of the public has been happy with his efforts to contact them. He said that anyone coming in after May 2nd was told to put it in writing to the WMC; he didn't get any response. He

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said he is sending a letter to Mr. Flenniken to remove his gear. Also Mr. White is to receive a letter. The third letter to anyone who has not paid states that their permit will be revoked. He said there are four people who will be receiving this letter.

Waiver of Mooring Specifications for Mr. Charles Resevick. Mr. Melo said that Mr. Resevick is present and he sent the WMC a letter requesting a longer time period to update his mooring. Mr. Resevick received a letter from Davis & Tripp telling him the mooring doesn't meet the new requirements. Mr. Melo said that the mooring is at the start of the Bayview area, it is 1,000 lbs. but requires 2,500 lbs. Any mooring under 2/3 of the required weight would go before the WMC for review on a case-by-case basis. Mr. Resevick said that he wasn't aware of the change, and would like an additional year to meet the new requirements. Mr. Szala said that if the Harbormaster feels it is OK to give additional time he will back him. Mr. Melo said that the moorings are not very protected in this area and that the chain meets the specifications, just the weight is undersized. Mr. Resevick said that his equipment was all new in 1999 and he hasn't had a problem with it. Dr. Burke feels that the mooring has been there for awhile and has sunk in the mud, he feels that it is safe to wait another year to replace it. Mr. Hathaway said he feels that since everything is fairly new and in an area that is quiet and it could wait a few years. Mr. Race feels it could wait one year. Mr. Peloquin and Mr. Metcalf also agree with one year. Dr. Burke moved to do the inspection as scheduled and give him one year to bring the mooring up to code. Mr. Hathaway seconded. So Moved.

Letter to Accompany Decal Moorings. Mr. Melo gave the WMC a copy of the letter. Mr. Melo said that he doesn't know the status of changing the Bridgetenders to Waterfront Attendants; but he will leave it in the letter. Mr. Hickey suggested checking with Town Hall on this. Mr. Hickey said if the Bridgetenders are under the DPW all bridge opening related calls should go to the DPW. Mr. Melo said that he is willing to help open the bridge if needed in emergencies.

Proposed Office Hours. Mr. Melo said that the proposed hours are from 9:00 a.m. to 8:00 p.m., seven days a week. He said that if they are called away from the office during these hours, there will be a notice posted on the office door. The contact numbers are posted and the staff will always be in contact if the public needs them. Mr. Melo said that his hours will be 9:00 a.m. to 6:00 p.m. with Monday and Wednesdays off subject to the Shellfish Officer and Asst. Harbormasters coverage. Mr. Race moved to accept the hours. Mr. Hathaway seconded. So Moved.

Hiring of Assistant Harbormasters. Mr. Melo said that last year they advertised with little success. He suggested this year working through Mass Maritime or put on the web site. He will also look at applications he has received. He now has two part-time assistants and two full-time assistants. He would like one additional full-time and three part-time Assistants. He said that additional staff are needed during the peek summer hours.

Old Business.

Rogers Street Property. Mr. Metcalf reported on the Finance Committee meeting he attended. Mr. Metcalf said that he feels the Finance Committee will approve the purchase and that the questions were answered to their satisfaction. Mr. Melo said that he gave Mr. Metcalf an updated drawing of the property for the meeting. Mr. Metcalf was asked if the Waterways Enterprise System could pick up the cost of the property if the Town couldn't; he answered yes. Mr. Hickey said that they are waiting for word of the grant they applied for. He said that they will be capping the contaminated land that Park Oil once owned. Mr. Metcalf said that the Finance Committee asked about the house, he said that they are planning to put offices there and use the basement for classes and that

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the upstairs could be used for meetings. Mr. Melo said that the Department operational office will remain in the village, this would be used to meet people and as an administrative office.

Update on Mr. Steve Turner Mooring Request. Mr. Melo said that Mr. Turner requested a follow-up meeting and said he followed up on the requests from the last meeting. Mr. Melo stated that he has searched the position supplied by Pioneer and he couldn't locate any mooring in location 01-08C, he also checked the close surrounding area. He also checked with Mr. Ken Pacheco on April 28, 2005 who said he only remembers what is in writing in the Harbormasters Office. On April 29, 2005 he spoke with Mr. Steve Gomes of Pioneer, who said he only has the information that the Harbormasters Office received. Mr. Melo said that he feels there is currently no mooring currently in Mr. Turner, Jr.'s assigned area. Mr. Turner, Jr. said that he feels Mr. Pacheco will not speak with him. He said that Mr. Billy Rebello of Pioneer handled all the paperwork for his assignment and that the Harbormasters Office should have known of this transaction. Mr. Turner stated that he would like to meet with Mr. Rebello and Mr. Pacheco regarding this. He said he has heard of other problems with Mr. Rebello. Mr. Hickey said that he is concerned that the Harbormasters Office gave him a location in the harbor, Mr. Melo said that the space remains open for Mr. Turner, Jr., but there is no mooring there. Mr. Hickey said he is also concerned that Mr. Turner's name was removed from the waiting list. Mr. Melo said that Mr. Pacheco has no other recollection of this transaction. Mr. Szala said that any action taken depends on what documentation is available. Mr. Turner said that his file contains pictures of the moorings and location, and he has cancelled checks. He said that Mr. Rebello took his money and that constitutes fraud; he feels Mr. Pacheco will be pulled into this dispute. Mr. Turner would like to know how Mr. Rebello was allowed to put a 5,000 lb. mooring in 3 feet of water. Mr. Turner, Jr. would like to go on record that he would like to speak with Mr. Pacheco. Mr. Hickey said that they would co-operate in any way they could. He suggested Mr. Turner speak with Mr. Michael Gagne.

Mr. Val Correia was present with a similar problem he had with Mr. Billy Rebello. He stated Mr. Rebello was supposed to drop two moorings for him and a friend and never did; this occurred in 2003, he has paperwork from Mr. Rebello but never received the mooring. They were supposed to be in the south side, moorings 69-1 and 69-2. Mr. Correia has checked and there is no mooring there, he also checked with Mr. Gomes of Pioneer. He has spoken with a lawyer. Mr. Hickey asked Davis & Tripp, if when a mooring is put in, how he goes about it. Davis & Tripp said that the person putting in a mooring, not the Harbormaster, contacts him. Mr. Hickey said that he will speak with Mr. Gagne on this.

District #1 Boat Purchase. Mr. Melo said that the fire district is purchasing a \$200,000+. boat. The purchase was approved at a recent District #1 meeting. It has a lot of speed and pumpout/fire suppression capacity.

It was moved and seconded to adjourn the meeting at 9:06 p.m.

Respectfully submitted,

Diane Vieira