

MINUTES OF WATERWAYS COMMITTEE MEETING

JANUARY 06, 2004

A meeting of the Waterways Committee was duly called and held on Tuesday, January 06, 2004 at 7:04 p.m. The meeting was called to order by the Chairman, Warren Hathaway. The following people were present: Mr. Hathaway, Gerry Hickey, Robert Metcalf, Norm Peloquin, Bob Szala and Dr. Arthur Burke. Absent was Peter Hill.

Mr. Hathaway reviewed the minutes of the meeting held on December 16, 2003. Mr. Hickey moved to accept the minutes with the correction. Mr. Peloquin seconded. So Voted.

Mr. Hathaway reviewed the agenda for tonight. First, a report from the Acting Harbormaster Ken Pacheco; Second, a report from Dr. Burke on grant questions; Third, Dr. Burke will give a report on spin changes for moorings; Next, a look at the Harbormaster Job Description; Finally re-vote a new Vice Chairman; New Business and Old Business. Dr. Burke moved to accept the agenda. Mr. Szala seconded. So Voted.

Dr. Burke stated he researched the "missed-grant application" issued discussed recently at the Selectmen's Meeting. Since those people making comments did not communicate with the commission, Dr. Burke can only presume such discussion relates to the \$100,000 state grant available to communities from 2000 to 2003. A portion of this money was available to individual communities to create facilities for visiting yachtsman in boats 26 feet and over. The monies are not for repair of existing facilities. This data comes from two conversations that Dr. Burke had with Buell Hollister who implements the grants from the State. The most recent conversation was two days ago. Mr. Hollister would be willing to come before this committee to discuss future grants. The implication that either the harbormaster or the commission missed state monies is incorrect. Given the turmoil in the harbor related issues this year, the interim harbormaster and newly empowered commission were not in a position to create capital projects.

Mr. Pacheco said as of January 1, he has had 84 mooring transactions; 32 have been removed from the waiting list. He said everyone on the list will receive a letter to reregister for the new year. He said that the list of 140 moorings being questioned have been researched. They have checked with the collectors office and the list was lowered to 44 definitely not registered, he said there may be more. The New Bedford Yacht Club has submitted five mooring, two listed on old records and the other three were not registered but have always been there. The Club also requested four new moorings, when the first one is filled - the next will start from the bottom of the list again.

Mr. Pacheco reported he has spoken with Mr. Gagne regarding the Town GIS system, if the boat moorings can be put on it. This would enable them to keep track of all the moorings. Moe is in the process of doing the software. Moe asked how people could get on the temporary waiting list. Mr. Hathaway said it would be handled at the next meeting. Mr. Pacheco said that to pay their waterway fees they need either commercial moorings or slip or private mooring or slip.

Mr. Pacheco next spoke of the mooring issues he handled recently:

- Mr. Nelson Hawkins of Barrington, Rhode Island. He had a mooring, 57-3A, from 1972 thru 1996. He would like to know the status on it. It has been abandoned since 1999. He said that he sold the mooring for \$350.00 to Mr. Chris Moriarty. Mr. Hawkins would like to know if it is completely abandoned. Mr. Metcalf said if it is abandoned it would be made available to the waiting list. Mr. Szala said Mr. Moriarty owns it, Mr. Hawkins sold it. If it hasn't been used it is abandoned. If the space is available, it will go on the list. All agreed.

- Mr. John Hayes of Chestnut Street, So. Dartmouth is asking the committee to approve his "mooring business" which will allow him to continue to rent the same six moorings he has been renting for 20 years. He has applied for a permit to be in the commercial mooring business from the Army Corp of engineers but it has not been granted. These moorings are serviced by Mr. Rebello. Mr. Hayes admits that his only current marine business is simply the rental of these moorings. The committee advised Mr. Hayes that under the mooring regulations in effect January 1, 2004, a private mooring couldn't be rented. They also advised Mr. Hayes that there is concern on the committee as to whether he has a genuine mooring business. Mr. Peloquin asked Mr. Hayes to present the committed with documentation. Mr. Hickey made a motion to table the issue pending further investigation and discussion. Mr. Hickey made a motion to table the issue pending further investigation and discussion. Dr. Burke seconded. So Voted.

Mr. Pacheco said this was all he had.

Harbormaster Job Description. Mr. Hathaway said he has reviewed the job description [Appendix A] with Mr. Joe Hannon, Town Council. He said the fact finding group has spoken with other harbormasters and there are two approaches. One is the harbormaster working under the commission with the Shellfish Officer under him, that way they can share people, they have chosen not to do this. He said that this Board has worked under the Harbormaster alone – he would be under the Waterways Management Commission and the Shellfish Warden works under Micheal Gagne. He said if the WMC agrees with this he will go to Mr. Gagne to set up the job description then go to the Personnel Board and advertise it. Mr. Hickey said that he would like some areas to be more specific such as whom to report to on a day-by-day basis. Mr. Hathaway feels it would be Mr. Gagne, this could be put in the final job description. He said the job description would come back to the WMC for final approval. Mr. Hickey feels that the 'Oil Spill Co-Ordinator' should be added to the job description. Mr. Metcalf agreed. Dr. Burke moved to take the job description to the next step. Mr. Peloquin seconded. So Voted.

Vice Chairman. Mr. Hill was the previous Vice Chairman for a period of 6 months. Mr. Szala nominated Mr. Gerry Hickey to be the new Vice Chairman. Dr. Burke seconded. So Voted. Mr. Hickey accepted the position.

Mooring Specs. Dr. Burke reported on mooring chain specifications. He was asked by the commission at the last meeting to review the issued. Dr. Burke applauded the fine work done by the mooring group (Peter Hill, Gerry Hickey, Bob Szala). Dr. Burke said he had obtained individual written comments on the specs presented at the last meeting by:

Tom Bigsby and Joe Mello	Rigging Loft
Jeff Simmons	Concordia
Bill	Davis & Tripp
Bill Rebello	Rebello Mooring Services
Peter Costa	Triad Boat Works

The average of these opinions and Dr. Burke's brought some changes. Me. Peloquin moved to Accept the new specifications. Mr. Szala seconded. So Voted.

New Business. None.

Public Comment. Mr. Ned Leduc asked why the WMC is not advertising for the Harbormaster first within Town. Mr. Hathaway said that they are looking for the best person for the job. Dr. Burke asked if there was a residency requirement for town employees. Ms. Enid Silva said no.

Moe suggested that on the waterways forms to be filled out, maybe there should be some statement pertaining to falsifying statements can result in forfeiting the mooring. He also asked about Rule #7, the fee for the mooring installation - \$50.00.

Mr. Hickey said another issue to deal with is putting undersized boats on a mooring. He asked if the Harbormaster is prepared to deal with this situation. Mr. Metcalf asked if the changes in the forms could be reviewed at the next meeting.

The next meeting is scheduled for Tuesday, January 20, 2004 at 7:00 p.m.

Mr. Hickey moved to adjourn the meeting. Mr. Szala seconded. So Voted.

Respectfully submitted,

Diane L. Vieira