



**TOWN OF OLD SAYBROOK
Harbor Management Commission**

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**HMC MEETING MINUTES
August 13, 2018 7:00 P.M.
TOWN HALL EMPLOYEE CAFETERIA**

1. Call to Order

Chairman Robert Murphy called the meeting to order at 7:00 p.m.

2. Roll Call

Present: Robert Murphy, Chair; David Cole; Dick Goduti; and Jennifer Donahue, Clerk. Robert Soden arrived at 8:07 p.m.

Absent: Paul Connolly, Secretary; Scott Mitchell, Harbor Master.

3. Citizens with Business before the Commission

Charlie Olsen asked the commission for clarification on his pole number for the Clothesline. Ms. Donahue reported that he is listed (under Susan Peruti) as pole #30. Mr. Olsen was unsure that this was the number that had previously been assigned to them. Ms. Donahue noted that some pole numbers this season have been confused between holders and Mr. Mitchell is working to resolve the situation.

4. Approval of Minutes

The minutes of the regular meeting of June 11, 2018 were considered. A motion was made by Mr. Cole and seconded by Mr. Murphy to accept the minutes as submitted. Mr. Goduti asked that two amendments be made: 1) under #11, at the end of the first paragraph, the following sentence should be added, "Mr. Goduti discussed that the commission authorized Docko to do the construction drawings but did not ask what the cost of the work would be." 2) under #12, at the end of the second paragraph, the following sentence should be added, "The discussion that Mr. Goduti started was whether or not it was in the purview of the Town to give additional authority to the HMC as long as it does not supersede the state's authority." The motion was so VOTED 2-1-0 to accept the minutes as amended with Mr. Murphy voting against the motion.

The minutes of the special meeting of June 27, 2018 were considered. A motion was made by Mr. Murphy and seconded by Mr. Cole to accept the minutes as submitted and was so VOTED 2-0-1 with Mr. Goduti abstaining because he had not been present at the meeting.

5. Clerk Report

Ms. Donahue's written report was reviewed by commission members. Updates were provided on wait list numbers, those awaiting spots on the wait list, efforts to sort out pole numbers on the Clothesline, number of applications received for moorings outside of North Cove (23), and issues with the first quarter sales and use tax payment. Mr. Murphy will assist with the penalty appeal. An end-of-fiscal-year financial report and current financial report were also reviewed.

Mr. Murphy made a motion to add Thomas Matthews of Morris, and Sara Howard and Tamara Laurie, both of Old Saybrook to the North Cove wait list. Mr. Cole seconded the motion and it was so VOTED unanimously 3-0-0. It was agreed that Ms. Donahue would contact a fourth applicant, Cynthia Bahl of Lyme, who seems to already have a mooring, to explain the one mooring rule for the cove and ascertain her reason for submitting a wait list application.

Mr. Murphy made a motion to add Sara Howard and Richard Peters to the Clothesline wait list. Mr. Cole seconded the motion and it was so VOTED unanimously 3-0-0.

Mr. Murphy made a motion to add Jim McCarthy, Sara Howard, Peter Moskowitz, and Maret Sternhardt, all of Old Saybrook to the Ferry Road Dock wait list. Mr. Cole seconded the motion and it was so VOTED unanimously 3-0-0.

6. North Cove

Discussion continued about the replacement of the North Cove sign and reprinting of the brochure. Mr. Murphy noted that the sign, brochure and rules of the cove should all be consistent. He found one inconsistency between the brochure and the rules regarding transient boaters. The brochure states that transients need to stay on their boats at night, but the rules do not state this. Commissioners discussed whether anything should be changed since updates are now being made. Some ideas that were discussed included adding a statement asking that out of courtesy transients not leave boats unattended for an unreasonable amount of time; rafting, and noise ordinances were also broached. Mr. Goduti suggested that the sign with the rules be posted on the Town Dock so that the sign is more protected and anyone leaving their boat will see it. It was agreed that Ms. Donahue will prepare the brochure as is with the exception of corrections to all of the contact information and have 100 copies printed for distribution by the NCYC launch operators. Any additional comments regarding the sign and brochure can be addressed at the next meeting.

7. Clothesline

The wait list updates were covered under the clerk report. There were no further updates.

8. Ferry Road

The wait list updates were covered under the clerk report. Mr. Cole reported that the dumpster is still being used for refuse other than from slip holders. Mr. Murphy reported that the change order was executed and payments were made as agreed.

Discussion of a possible tee expansion included what type of permit is needed if the commission decides to move forward with this. Mr. Soden noted that it may be possible to modify the permit that exists or get a *di minimus* change; however, the possibility for the need for a new permit also remains. Because it was a previous structure it will probably be approved, the only question is what approach to take.

Extensive review and discussion of Mr. Goduti's emails from June 12 and June 16 followed. Commission members reviewed the timeline of events leading to many of the decisions related to the planning and execution of the new dock at Ferry Road. Mr. Goduti was very concerned and unhappy that 12 50-foot pilings remained after the completion of the job and feels strongly that this is a waste of money caused by poor planning. Mr. Murphy explained that the pilings were not needed once the contractor had driven some pilings for the new dock and the soil conditions were better understood. The pilings will be used for a future project or sold back to the contractor at a later date. Even though the pilings are worth \$6,000, it saved \$13,000 not to use them unnecessarily.

Mr. Goduti also shared his concerns about the cost of construction drawings and his preference for sending out an RFP for the project allowing contractors to propose their own designs (based on the permit drawings) rather than paying Docko to design the project and then sending it out to bid with those designs as the guide for contractors. He contended that the course of action that was taken resulted in money wasted on construction drawings that were not used since the contractor then proposed cost-saving, common sense changes that were approved by the commission. These arguments had been made by Mr. Goduti at previous meetings but the commission had voted that it was in the best interest of the project to have construction drawings and to put the job out to bid rather than follow the course of action proposed by Mr. Goduti. Mr. Goduti contended that it was always known who would get the contract and since that person then changed the design to his own specifications, with commission approval, it was a waste of money to pay Docko for work that could have been gotten for free as part of the contractor's work. Other commission members strongly objected to Mr. Goduti's assertion that the contractor was always known and contended that they had four solid bids to choose from allowing them to select the lowest bidder. In addition, other commissioners disagreed that design work would have been provided for free by contractors; all agreed that it would be added as part of the fees and would have been spent anyway. Mr. Murphy agreed that neither he nor any other commissioner (including Mr. Goduti) thought of asking how much the construction plans would cost prior to directing Docko to develop the plans.

Mr. Goduti contended that the commission is performing in a dysfunctional manner that has caused it to spend thousands of dollars unnecessarily. Mr. Cole stated that many of the changes in approach which Mr. Goduti contends are a lack of planning were due to Mr. Goduti's contention that the existing dock was unsafe and needed to be replaced this season.

Mr. Murphy asked Mr. Goduti to be more specific about where he feels the commission has overspent. Mr. Goduti declined to be more specific.

Mr. Murphy will ask Docko if there are any permit rights left on the current permit for the Ferry Road dock and suggested that this topic be continued on the agenda for the next meeting.

9. Sheffield Street Project Planning, Bidding and Execution Discussion

Discussion of this topic was tabled to the next meeting for lack of time.

10. Harbor Master/Dock Master Report

In Mr. Mitchell's absence there was no report of the harbor master.

11. Correspondence

Six Rule 11 requests were acknowledged from: Vincent Sutton, Colin Delaney, Jae Lee, Stefan Golicz, Michael Ludwig, and Joe Carroll.

One DEEP application was acknowledged by the commission: 44 Sunset Avenue, shorefront modifications. One DEEP license was acknowledged by the commission: 17 West Shore Drive for a groin repair.

12. New Business

Discussion of this topic was tabled to the next meeting for lack of time.

13. Payment of Bills

Mr. Cole made a motion to pay the bills as rendered. Mr. Soden seconded the motion and it was so VOTED unanimously 4-0-0.

14. Adjournment

Mr. Soden made a motion to adjourn at 9:29 p.m. seconded by Mr. Cole which was so VOTED unanimously 4-0-0.

Respectfully submitted,

Jennifer Donahue
Clerk, OSHMC