

FINAL
Town of Stonington, CT
Stonington Harbor Management Commission
Regular Meeting
August 9, 2010
7:00 PM
Stonington Police Public Meeting Hall

A regular meeting of the Stonington Harbor Management Commission was held on Monday, August 9, 2010 at the Stonington Police Public Meeting Hall. Attending were Chairman Peter Vermilya, Alan Banister, Jesse Diggs, Jean Dixon, Ed Smith, Sherman Crites, William Abt Harbormaster Eric Donch and Deputy Harbormaster Charles Estabrooks. George Kenyon and Rodney Johnstone did not attend.

I. Call to Order

The meeting was called to order at 7:01PM by Chairman Vermilya. Ms. Dixon motioned to move Agenda Item 6A (SHYC Sailing Foundation Update) to the beginning of the meeting. Mr. Crites seconded and the motion was unanimously approved. Mr. Jerry Fand's question (Public Comment) about his position on the mooring wait list was addressed at the beginning of the meeting as well (reference OLD BUSINESS, SECTION C-4, "Wait List Policy and Procedures" for detail.)

II. Minutes

Mr. Banister motioned to accept the minutes of the July 12, 2010, meeting as amended and Mr. Crites seconded. The motion was approved unanimously.

III. Correspondence

Chairman Vermilya reported the following correspondence:

- A) Out of Jurisdiction
Nothing to report.
- B) In Jurisdiction
 1. DEP Certificate of Permission to James and Pamela Elesh, 255 Wamphassuc Point Road, for "Pier Modifications". The Commission had no comment.
 2. Request to be reinstated on the Wait List by Nathaniel Trumbull. The request was forwarded to Asst. HM Estabrooks.
- C) Bills Paid/Outstanding
 1. Paid: No bills were paid.
 2. Outstanding: Brian signs (Sandy Point signs), Harbormaster expenses.

IV. Treasurer's Report

Treasurer Abt presented the Treasurer's Report (Attachment A). Mr. Abt noted that the \$5.00 revenue item for July was for the purchase of a copy of the Stonington Harbor Management Plan. Mr. Smith motioned to accept the Treasurer's Report as presented. Mr. Diggs seconded and the motion passed unanimously.

*Mr. Abt will pursue resolution of the November, 2009, ASAP software expense.

V. Harbormaster's Report

The Harbormaster's Report, August 9, 2010 was presented by Harbormaster Donch (Attachment B).

Extended discussion:

- a) HM Donch reported that 1 mooring permit was issued and 5 mooring offers are outstanding. Turnaround on offers can be several weeks as boaters resolve personal circumstances (boat ownership/availability, current mooring contract obligations); circumstances will determine whether there is immediate assignment, one season hold or return to wait list.

HM Donch reported 21 moorings available for assignment; available moorings are processed as logistics and paperwork allow while ensuring efficient, accurate administration of the permitting process by the Harbormaster.

*HM Donch will provide a report of moorings that have become available in recent years by mooring # and status (assignment, open, offered) with related dates.

*HM Donch will provide a report of individuals who have not responded to the 2010 mooring permit renewal process so that the Commission can take appropriate action including termination if appropriate.

- b) The Harbor Mooring Survey completed by commission members in June was discussed to support identification of moorings and their owner usage status.

*Members will resurvey those moorings identified as questionable (abandoned, in use, mismatch between boat and permit, unused, etc.) during the initial survey to ascertain change in status.

*Mr. Crites will perform survey activities on areas "R" and "S", replacing Mr. Vermilya.

*Questionable moorings from this survey will be forwarded to Mr. Smith who will compile a master list for discussion at future meetings. Mr. Smith will advise HM Donch of the moorings scheduled for discussion prior to the meeting.

Mr. Banister motioned to accept the Harbormaster Report as presented. Ms. Dixon seconded and the motion passed unanimously.

VI. Old Business

A) SHYC Sailing Foundation Update

Michael "Spike" Lobdell reported that the SHYC Sailing Foundation has agreed to purchase properties located at 70-72 Water Street from the Mohegan Tribe for use as the center for its community sailing and marine biology programs. The location and water access provided by the site have been critical to the success of the foundation's community sailing program which has leased the complex for two years. Mr. Lobdell thanked the Commission for its continued support.

B) *Mr. Smith will compile a formal "TO DO" list after each harbor management meeting for distribution shortly after the meeting. Members will track progress of these items in subsequent meetings to ensure closure.

C) Mooring Status

1. Mr. Morris' Former Mooring Status: HM Donch reported resolution in that the mooring is being offered to Mr. Walter Johnson. Mr. Banister noted that Mr. Morris' September, 2009, letter also mentioned other moorings that were in questionable active use.

*Mr. Banister will forward these mooring #'s to Mr. Smith for inclusion in the Questionable Mooring Report for Commission review.

2. Status of moorings not renewed for 2010: nothing was reported.

3. Commercial Mooring Identification Project

The proposed letter to require commercial mooring providers to label their moorings consistent with SHMC section and number grid was informally tabled.

The commission acknowledged the need to formally resurvey, identify and record all harbor moorings including commercial

moorings. HM Donch was authorized to spend up to \$1000 to survey harbor moorings this month. Data will include latitude/longitude, mooring #, name on mooring buoy and mooring buoy photograph. The commission will review the data before any action is taken on the survey results. This data will be incorporated into the mooring database but will be superceded by mooring anchor data as it is received from the commercial mooring service providers

The commission acknowledged the need to formally resurvey, identify and record all harbor moorings including commercial moorings. HM Donch was authorized to spend up to \$1000 to survey harbor moorings this month. Data will include latitude/longitude, mooring #, name on mooring and mooring photograph. The commission will review the data before any action is taken on the survey results.

HM Donch suggested 2 candidates to conduct the survey; the Commission recommended that he engage one candidate and acknowledged Mr. Donch's family relationship to that person.

*HM Donch will administer this survey and provide data results to the Commission for review.

4) Wait List Policy and Procedures

Mr. Jerry Fand during Public Comment, which was moved to the beginning of the meeting, described his recent unsatisfactory experience with the mooring wait list process. He stated that he had been on the wait list for many years, advancing toward the top. He recently observed that he was in fact dropping back on the list and asked the Commission to explain this anomaly.

Asst. HM Estabrooks explained that a mailing was sent during spring, 2009, asking persons on the wait list to respond with updated contact information and their continued interest in remaining on the list. In June, 2009, the Commission approved moving people who had not responded by June 30, to an inactive status on the list which would cause a general list shift upwards for persons who responded and remained active, such as Mr. Fand. Subsequent renewed efforts by the Commission to contact non-respondents resulted in reinstatements of those that were successfully contacted. They were reinstated to their original place on the list, creating another list shift – downward, causing Mr. Fand and others behind the reinstatements to drop back. Mr. Fand

thanked the Commission and stated that he did not agree with the procedure.

The Commission continued discussion about the wait list after Mr. Fand's comments. The Commission cited the need:

- For improved, consistent, more frequent, communication of policy, procedures and timelines to wait list persons.
- To develop a Wait List Policy & Procedures document in light of the scant guidelines in the Harbor Management Plan which are inadequate to support the process.
- To be able to track and document persons' movement through the wait list over time to ensure fairness and optimal usage of available harbor moorings. HM Estabrooks stated that data base backups support this requirement.
- To ensure that wait list persons assume responsibility for remaining in an active status by providing contact data to the commission when requested, taking appropriate action when offered a mooring, etc. An annual wait list fee was discussed.
- To effect wait list transparency by publishing the list as often as feasible and practical. Asst. HM Estabrooks stated that the list would be updated by the end of August.
- To work with the Town attorney to ensure that our policies, procedures and communications are within the law and enforceable.

The Commission reviewed various alternatives to communicating policy including Postal Service letter, Town Hall notice, E-mail notice, website news, all of which will be considered upon publication of a Wait List policy.

*A sub-committee of Mssrs. Crites, Vermilya, Abt, Diggs and Donch will develop policy /procedures for the administration of mooring wait list, renewals and littoral moorings.

The Commission unanimously approved Mr. Crites motion to send a letter in September to all wait list persons to remind them of their responsibility to keep their wait list contact data current with the Harbormaster and to return the form requesting this data.

Future communication will convey policy and procedure to the wait list after the sub-committee completes its work and formal policy is established by the Commission. The Commission cited the need for transparency and communication with those affected by the policy.

D) 2010 Budget/SHMC Financial Reporting

- 1) The process of analyzing historical journal entries to determine appropriate budget categories is in progress.

Chairman Vermilya and Mr. Abt will implement a new financial recording and reporting system in October.

E) Harbormaster Boat Mission Statement: Discussion deferred until future meeting.

F) Harbormaster Boat/Pumpout Boat Dock Project

Chairman Vermilya reported that the Town has submitted a formal request for partial funding of the dock for the Harbormaster boat and for a pumpout boat emptying station to the DEP. Included with this request are letters of commitment from both CUSH and the SHMC to provide their respective funding amounts. The DEP should make its decision on funding by mid-September.

G) Marmion Proposal

Mr. Diggs met informally with a local maritime attorney to discuss the options for getting the sunken vessel, Marmion, removed. Since the vessel appears to not be discharging hazardous materials, and is not blocking access to navigable waters, neither the Coast Guard, EPA or DEP would likely act to hasten its removal. However, if the vessel begins to break up and debris enters the waterways, or if the rigging and vertical structures have deteriorated and pose an eminent danger to nearby property or boats, then it may be possible to invoke some actions to get it removed. A more detailed legal review would then be merited.

H) Slow/No Wake Harbor Proposal

Mr. Banister reported that he, Mr. Donch and Mr. Vermilya met with First Selectman Habarek 7/29/2010 and received his approval of the proposed ordinance which would make Stonington Harbor a "Slow/No Wake" harbor. The next steps are to present the proposed ordinance to the Selectmen, as a whole, on August 25, 2010, and then to obtain a place on a Town meeting agenda, as the ordinance will need to be passed by a Town Meeting vote for it to be enforceable.

This item will be discussed at the next commission meeting.

VII. New Business

There was no new business

VIII. Public Comment

Mr. Jerry Fand commented on his experience with the Stonington Harbor wait list procedure; see OLD BUSINESS, Section C-4, "Wait List Policy and Procedures".

IX. Adjournment

The meeting adjourned at 10:11 upon a motion that was approved unanimously.

Submitted by Jean D. Dixon

*Indicates action items

Attachment A

Treasurer's Report
Stonington Harbor Management Commission
August 9, 2010

| | <u>June</u> | <u>July</u> | <u>YTD(\$)</u> |
|---|---------------|-------------|-----------------|
| Misc. Program Income | 0.00 | 5.00 | 5.00 |
| Mooring Fees Received | 420.00 | 0.00 | 7,880.00 |
| Total Revenue | 420.00 | 5.00 | 7,885.00 |
| | | | |
| Reproduction & Printing Equipment & Support Harbormaster Expenses | 211.00 | 0.00 | 2,539.42 |
| Total Expenditures | 211.00 | 0.00 | 2,539.42 |
| | | | |
| Revenue Over(under) Expen. | 208.76 | 5.00 | 5,345.58 |
| | | | |
| Cash Available to Harbor Commission | | | 23,589.16 |
| | | | |
| Cash Reserved for Boat | | | 300.00 |
| | | | |
| Cash reserved for new dock | | | 9,840.00 |

Attachment B

Harbormaster Report

August 9, 2010

New Mooring permits issued: 1
Mooring being given up (this month): 0
New Mooring assignments offered: 5
Additions to Waiting List: 0 Total: 196
Deposits to SHMC account since last report: \$ 0 (2010 YTD = \$7420)

When the West end of Sandy Point is opened to the public I suggest making improvements to the "SLOW NO WAKE" sign to make it harder to remove.

Feedback from the "regulars" on Sandy Point is that the "SLOW NO WAKE" sign is effective at reducing wakes at the West end of the island.

Special Olympics Sailing Regatta will be September 11-12 in Stonington Harbor.

After meeting with SNEFLA I reminded each of the lead sailing instructors that operate in Stonington Harbor that instruction and race courses can not cross the channel in the harbor without a "Marine Events Permit" issued by the USCG. I have only received one call from SNEFLA about the channel being obstructed.

Robert G

No issues

Respectfully Submitted

Eric Donch
Stonington Harbormaster