

FINAL
Town of Stonington, CT
Stonington Harbor Management Commission
Regular Meeting
June 13, 2011
7:00 PM
Stonington Police Public Meeting Hall

A regular meeting of the Stonington Harbor Management Commission was held on Monday, June 13 2011 at the Stonington Police Public Meeting Hall. Attending were Chairman Peter Vermilya, George Kenyon, Alan Banister, Sherman Crites, Jean Dixon, Rodney Johnstone, Jesse Diggs, Harbormaster Eric Donch and Assistant Harbormaster Charles Estabrooks. Ed Smith and William Geary did not attend.

I. Call to Order

The meeting was called to order at 7:00PM by Chairman Vermilya. Mr. Vermilya stated that a Stonington Harbor Management Commission vacancy exists for a commissioner from the Town of Stonington and welcomed interested parties to apply by writing to the Board of Selectman with a copy to Mr. Vermilya.

II. Minutes

Mr. Banister motioned to accept the minutes of the May 9, 2011, meeting as amended and Mr. Kenyon seconded. The motion was approved unanimously.

III. Correspondence

Chairman Vermilya reported the following correspondence:

- A) Out of Jurisdiction
 1. Quiambaug Cove, Ben S. and Catherine Berte: tentative approval for a new pier and floating dock at 104 Cove Road, Mystic.
 2. Permit granted by the CT DEP to the CT DOT to replace the Route 1 bridge over Stony Brook, Stonington.
 3. Permit granted by the CT DEP to the CT DOT to replace the Route 1 bridge over Quana Duck Cove, Stonington.

IV. Treasurer's Report

Ms. Dixon summarized the Treasurer's Report for May 9, 2011 (Attachment A). There was extended discussion about the formatting of the report and Mr. Diggs suggested changes which were approved. The Commission agreed that the report would adequately support an official audit. The report reflects summary financial data and line item detail can be provided by the Treasurer upon request.

Mr. Banister motioned to accept the Treasurer's Report. Mr. Crites seconded and the motion passed unanimously.

V. Harbormaster's Report

The Harbormaster's Report, June 13, 2011, was presented by Harbormaster Donch (Attachment B)

A) Status of Moorings

HM Donch reviewed the status of available moorings, permits offered and status (Attachment C). He and Assistant Harbormaster Estabrooks will issue a new Wait List to include changes resulting from this season's new mooring assignments.

B) Slow/No Wake Buoys

HM Donch stated that some boaters who have been stopped for excessive speed had complained about the small size of the buoys and the difficulty in seeing them. The Commission will defer buoy replacement to enable people to become accustomed to the new policy and then determine whether buoy size is an issue.

*To enhance SNW Policy implementation, the Harbormaster will:

- Meet with Dodson Boatyard staff to ensure adherence to SNW Policy by launch operators.
- Meet with harbor sailing groups to ensure that instructors and chase boat operators are aware of the policy as well as to provide guidelines and rules for setting up race courses in the harbor area.
- Meet with the Stonington Police Chief to engage that department's participation in the enforcement of the policy.

HM Donch noted that he had relocated one buoy for safety reasons and had notified Mr. Payton at DEP of the relocation; he has not heard back from DEP.

Mr. Banister motioned to accept the Harbormaster's Report as written and Mr. Johnstone seconded. The motion passed unanimously.

VI. Old Business

A) Slow/No Wake Harbor Buoy Update

1. Mr. Banister reported that he had received two donations from harbor groups wishing to help with the expense of the SNW implementation: Harbor Edge Condo Association for \$500 and Stonington Harbor Sailing Foundation for \$200. Mr. Banister will speak with the yacht club as well about helping.

B) Harbormaster Expenses

Ms. Dixon reported that a procedure was required to enable the Harbormaster to directly pay vendors with cash who do not honor purchase orders, such as for fuel docks that offer better pricing or for supplies. The commission discussed a cash advance option with an initial advance of \$300 which would be reissued as necessary when the advance approached depletion. The Harbormaster would report and reconcile the expenses against the advance. This option requires the Town of Stonington Finance Department approval and Ms. Dixon has requested that.

Ms. Dixon motioned for the Commission to authorize an initial \$300 cash advance from the SHMC funds and subsequent \$300 advances to be reissued as necessary when the advance approaches depletion. Mr. Crites seconded the motion and it passed unanimously contingent on Finance Department approval.

C) Wadawanuck Mooring Area

Mr. Johnstone reported that the M1 mooring has apparently been moved back to its original position. * HM Donch will ensure proper GPS sites for the moorings in their final position.

D) 2011 Harbor Survey

Several initial surveys were done and many winter sticks were noted; commissioners will continue to survey their areas during the 2011 season to note mooring discrepancies (not found, unused, continued use of winter sticks, improper mooring balls or markings). HM Donch will work with commissioners to resolve anomalies by contacting mooring holders and/or mooring service providers. It was acknowledged that issues can be more clearly identified after July 1 when the boating season starts for many boaters.

Letters asking mooring holders in violation of regulations to come into compliance with rules and guidelines were discussed as well as the benefit of communicating with boaters through an SHMC newsletter or through an established newsletter such as Dodson.

E) Policy and Procedures Manual Topics:

Bidding Process and Mooring Surveys: Mr. Banister reported these policies as in progress. I

Appeals Process: Mr. Vermilya submitted a draft for Commission review (Attachment D) which was approved as amended.

Mooring Inspections: HM Donch reported no progress but the draft is scheduled.

F) The Status of Moorings

Covered under Harbormaster's Report.

G) Harbor Management Plan Review

The review of the Plan Update resumed at Section 19 of updated text and the draft text review was completed. Updates included:

- 1) Change references to "individual" moorings to "private" moorings.
- 2) Change the date by which winter mooring sticks shall be removed from May 31 to July 1.
- 3) Include definition of "majority owner".
- 4) Pendant configuration is updated to require two pendants. A proposal was made to also permit the use of a double line harness from the boat to a single pendant to the chain which allows two independent lines with proper chafe gear to pass through the chocks of the boat to the pendant line. *Mr. Donch will review proposal wording.
- 5) Mr. Banister requested that the Commission consider two additional mooring policies for the plan:

- To give wait list mooring preference to Stonington property owners. This policy would be contrary to state regulations and was not considered for adoption.
- To permit moorings to be passed down through families rather than be reassigned to the next wait list person. This policy will be discussed further.

J) Harbormaster Boat Mission Statement: Deferred discussion.

K) Review of Remaining Capital Expense Items for the 2011 Budget:
Deferred discussion.

VII. New Business

Mr. Diggs asked the Commission to consider making a donation to the Blessing of the Fleet which was discussed in the 2011 Budget Process as an event that the Commission could support for Harbor enrichment. *Chairman Vermilya will contact Mr. Madeiros to determine the need and SHMC's potential assistance. The Commission will address all potential harbor enrichment program assistance at a future meeting.

VIII. Public Comment

There was no public comment.

IX. Adjournment

The meeting adjourned at 9:20 upon a motion that was proposed by Mr. Banister, seconded by Mr. Kenyon and approved unanimously.

Submitted by Jean D. Dixon

*Indicates action items

SHMC MONTHLY FINANCIAL SUMMARY REPORT

Report Date: 5/31/2011	Budget	Actual Monthly Revenue & Expense						
		Jan	Feb	Mar	Apr	May	YTD Total	YTD Balance
Income:								
Balance Brought Forward:	\$30,670.25	\$30,670.25	\$29,534.94	\$28,635.18	\$23,450.97	\$24,230.97	\$30,670.25	\$30,670.25
Mooring Fees:	\$8,200.00		\$800.00	\$5,700.00	\$780.00	\$480.00	\$7,760.00	(\$440.00)
Miscellaneous Income:	\$200.00	\$5.00		\$100.00			\$105.00	(\$95.00)
Accumulated Income		\$30,675.25	\$31,475.25	\$37,275.25	\$38,055.25	\$38,535.25		
Total Available Income:	\$39,070.25	\$30,675.25	\$30,334.94	\$34,435.18	\$24,230.97	\$24,710.97	\$38,535.25	(\$535.00)
Expenses:								
Mooring Admin:								
Sub-Total:	\$1,380.00	\$181.54	\$81.40	\$207.21	\$0.00	\$64.04	\$534.19	\$845.81
Boat Expense:								
Sub-Total:	\$2,225.00	\$319.46	\$39.46	\$0.00	\$0.00	\$0.00	\$358.92	\$1,866.08
Harbor Maintenance Expense:								
Sub-Total:	\$1,600.00	\$570.00	\$0.00	\$0.00	\$0.00	\$0.00	\$570.00	\$1,030.00
Dock/Pumpout Expense:								
Sub-Total:	\$750.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$750.00
Administrative Expense:								
Sub-Total:	\$150.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$150.00
Professional Services:								
Sub-Total:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Contingency:								
Sub-Total:	\$7,105.25	\$0.00	\$578.90	\$0.00	\$0.00	\$0.00	\$578.90	\$6,526.35
Proposed Capital Expense Budget:								
SNW Implementation:	\$2,560.00					\$350.00	\$350.00	\$2,210.00
Dock/Pumpout Implementation:	\$11,500.00		\$1,000.00	\$10,777.00			\$11,777.00	(\$277.00)
Ordinance Update Project:	\$1,000.00	\$69.31					\$69.31	\$930.69
Harbor Donations:	\$5,000.00							\$5,000.00
Administrative Eqpt.:	\$800.00							\$800.00
New Boat Fund:	\$5,000.00							\$5,000.00
Shared Data Access:	\$0.00							\$0.00
Boat Radar:	\$0.00							\$0.00
Side Scan Sonar:	\$0.00							\$0.00
Sub-Total:	\$25,860.00	\$69.31	\$1,000.00	\$10,777.00	\$0.00	\$350.00	\$12,196.31	\$13,663.69
Commitments:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,074.54	\$1,074.54	
Total Expenses & Commitments:	\$39,070.25	\$1,140.31	\$1,699.76	\$10,984.21	\$0.00	\$1,488.58	\$15,312.86	\$23,757.39
Total Accumulated Expenses:	\$0.00	\$1,140.31	\$2,840.07	\$13,824.28	\$13,824.28	\$15,312.86		
Available Balance:	\$0.00	\$29,534.94	\$28,635.18	\$23,450.97	\$24,230.97	\$23,222.89	\$23,222.89	
NOTES Expenses:	\$350.00	5th SNW Buoy						
	64.04	E. Donch, Mooring Adm.						
Committed:	\$1,074.54	Dodson-Install SNW buoys						
Revenue:	\$480.00	24 Mooring Fees						
Expected:	\$700.00	Donations to SNW project						

ATTACHMENT B
Harbormaster Report
June 13, 2011

New Mooring permits issued: See page 2
Mooring being given up (this month): 0
New Mooring assignments offered: See page 2
Additions to Waiting List: 0 Total: 206
Deposits to SHMC account since last report: \$ 480 (2011 YTD = \$7760)

The visibility of the “Slow – No Wake” buoys is poor. We need to consider replacing the buoys with the larger “Collared” style buoys. Many boaters have complained they are too small to see.

“Slow – No Wake” buoy #2 was noted as being in the middle of the channel by SNEFLA and risking collision with fishing fleet boats at night. This buoy was moved west to the edge of the channel and there have been no more complaints.

Compliance with the “Slow – No Wake” ordinance seems to be 80 – 90%. Many people are unaware of the new ordinance and once informed are very willing to comply.

Ordered and received the recommended spare parts for pump out station. I have the spares stored at my house for now. (25’ Suction Hose and Peristaltic Hose)

Robert G

Launched on 5-10-11.

Respectfully Submitted
Eric Donch
Stonington Harbormaster

ATTACHMENT C
Mooring Status

Location Previous	Length' x Draft'	Comment	New	L' x D'	From	Status
N-?		new	John Seremet	20 x 1	#5	Permit Pending
N-?		new	Peter Cummin	20 x 2	#12	Permit Pending
N-?		new				
N-66	Ted Martin 24 x 4	good J24 type				
N-68		new				
N-77		new	Jason White	13 x 1	#4	Permit Pending
N-92	Charles Harding 14 x 2					
P-22	Margret / Colin Revill 23 x 3	good J24 type	Walter Johnsen	24 x 4	#1	Permit Issued
Q-44	Bill Morris 32 x 4		Anton Sattler	36 x 4	#27	Permit Issued
R-34	Miles Meader 46 x 9		Mike Doucette	37 x 6	#26	Permit Issued
R-53	David Tapley 30 x 5					
R-66	James / Julia Farrell 8 x 1 ?					
S-37	Tom Crimmons 21 x 5		Sonja Ziluca-Lucas	34 x 4	#13	Permit Pending
S-42	Ovda Carter 34 x 4					
V-11	William Borque	over crowded area	none			
V-21	Frank Intellisano	over crowded area	none			
V-35	James Robins	over crowded area	none			
Y-13		over crowded area	none			
Y-14	W. Ellery Smith 20 x 2					
Y-47		over crowded area	none			
S-23	Lamortagne					

ATTACHMENT D
Draft SHMC Procedure for Appeals
June 13, 2011

Section 26,

Settlement of Disputes: *Any dispute arising between a mooring permit holder or an applicant for a permit and the Harbormaster or the Commission over the interpretation or intent of these regulations will be settled in a public meeting. The boat owner will request the meeting from the Chairman of the Commission in writing. The Chairman and four other members of the Commission, chosen by the Chairman, will form a panel to settle the dispute.*

1. The appellant will submit a request for an appeal in writing to the SHMC Chair citing the decision and stating the reasons that the appellant is appealing the decision. The letter should be addressed to:

Chair
Stonington Harbor Management Commission
Stonington Town Hall
152 Elm Street
Stonington, CT 06378-0352
2. The Chair will convene an Appeals Subcommittee to hear the appeal at a time and place agreeable to all involved.
3. The Appeals Meeting will be a Special Meeting of the SHMC. As such, the Chair will see that the meeting is posted as required by the Town. The meeting will be open to the public. Minutes will be available at the Town Clerks Office.
4. The Appeals Subcommittee will consist of the Chair and four other members of the SHMC. The Chair will act as presiding officer but may appoint a substitute. Both the appellant and the SHMC may be represented by Counsel.
5. At the meeting, the appellant, then the Commission or Harbormaster, will state his/her case. Ample time for rebuttal will be provided by the presiding officer. After each side has stated their case, the Appeals Subcommittee will go into executive session to consider their decision.
6. The Chair will notify the principals of the appeal of the Appeals Subcommittee's decision in writing.

PTV, 6/9/2011