

MINUTES OF THE WATERWAYS MANAGEMENT COMMISSION MEETING  
Tuesday, May 7, 2019 - 5:30 p.m. Room 305 Dartmouth Town Hall

A meeting of the Waterways Management Commission was duly scheduled for Tuesday, May 7, 2019 at 5:30 p.m. in Room 305 of Dartmouth Town Hall. The meeting was called to order by the Chairman, Gerald Hickey. Present were members: Roger Race, Warren Hathaway, Geoffrey Marshall, Andy Herlihy and Kevin Murphy. Also present was Steven Melo, Harbormaster.

Mr. Hickey reviewed the Agenda for the meeting. It was moved by Mr. Murphy and seconded by Mr. Race to accept the agenda.

The minutes of the last meeting of January 15, 2019 were reviewed and discussed. It was moved (K. Murphy) and seconded (R. Race) to accept and post the minutes as presented. All approved.

**A. Harbor Master Plan update:**

- a. The final Plan was presented to the Select Board for a unanimous vote of approval. Mr. Marshall gave a review of the wrap-up to the process.
- b. Town Counsel has given his opinion that Waterways Enterprise funds are not appropriate for the required matching funds since the Town (select board) returned the donation. It was labelled and treated as a Planning Board exercise by the prior Administrator, and needs to be funded as such.

**B. Maritime Center Update:** Mr. Murphy provided an update on the construction of the Maritime Center building in Padanaram. The security system and remote gate access controls remain in limbo. The recommended system has been put on hold while the Town considers options and existing system interoperability where Parks, Police, DPW and the Schools each have unique systems. An opening ceremony is scheduled for Friday 5/24/2019 at 2:00 p.m. with the Lt. Governor and others invited to cut the ceremonial ribbon. In addition to the security camera system and gate access lock, issues remaining include: Biohazard containers, shower benches, shower room mirrors, AC unit for office, bike rack, picnic table.

**C. Fishing Pier:** No news on this possible project at this time.

**D. Bouchard Grant Projects:** Mr. Melo sent an email to the town administrator expressing the justifications for rejecting further participation with DMF in the Bouchard upweller and quahog relay projects. Where the Town has specified a maximum of 10 hours per week total to be expended covering shellfish/natural resource activities, just the upweller care and monitoring by the Town will require in excess of 12 – 15 hours per week to meet the recently-announced expectations of DMF. This still leaves the time required to patrol and monitor both the open and closed shellfish areas along the Town's 81 miles of coastline. The area closures required by the upweller out-planting and the contaminated relay will further frustrate the scarce opportunities remaining for open harvesting. Mr. Hickey asked if a response was received, none was. Mr. Murphy motions to invite Mr. MacInnes to the next waterways meeting, Mr. Marshall seconds that motion. All were in favor. Mr. Race moves to reject the Division of Marine Fisheries upweller proposal based upon those justifications. Mr. Murphy seconds, all voted unanimously in favor of rejecting those projects. Mr. Hickey wants to inform the Select Board and Mr. MacInnes of that advised rejection by the Commission.

**E. Fish Ladder:** Mr. Melo received an inquiry from DMF regarding needed repairs to the herring run fish ladder behind Davoll's. After several exchanges with DMF and ConCom, as well as a couple of visits to the site, it was determined that the Harbormaster had no connection with that structure, and he was pleased to keep it that way.

**Noquochoke Dam:** Mr. Melo gave a brief description of the issues surrounding the Town's involvement with removal or repair of the City of Fall River's Dam creating Lake Noquochoke. The short answer is that Lake Noquochoke is not tidal waters, and therefore it's not a waterways issue.

**F. Docks/Piers:** Mr. Melo reports that Alan Hereoux has re-surfaced and is attempting to bring back the Greene dock project at Star of the Sea. It seems that the intended "expedited permit process" asserted earlier may not apply in this situation. Given the incredible demands of the season upon the office, Mr. Melo has replied that "now is not the time" under the guidelines set out last year for these private construction project approvals. The Commission unanimously supported that response and urged Mr. Melo to stick to his focus on boater needs since they, and not dock owners, pay to support the office.

- G. Dias Landing:** The large floats have still not been launched. Repairs that were supposed to be done by a private contractor were done out of necessity by Mr. Melo when the contractor was unable to work due to an injury. The smaller floats that are now *needed* by boaters to launch will go in first, by a private contractor. Still no final configuration for the added, former pumpout floats at the landing. It is anticipated that these could be launched by 5/16, which met with approval. The addition of electricity and security cameras to the landing for the protection of the property stored there was summarily rejected by the Capital Improvement Committee. No notice or reason has been given. The history of theft and vandalism warrants the expenditure of Waterways Enterprise Funds, not tax money, to protect those who pay fees into that Fund. Apparently the Town does not agree and the requested projects will not have any mention at Town Meeting in June. Mr. Hickey will inquire with the Administrator and Treasurer as to what happened at the Capital Improvement Committee level, since they do not keep or post meeting minutes as to their activities. On the question of whether or not to pay for a rental portable toilet now that the Maritime Center is opening, the Commission unanimously voted to have a portable installed for the 2019 boating season.
- H. Rogers Street Waterways Access facility:** No updates beyond waiting for the sidewalk project on Rogers Street to complete sidewalks and re-cementing of the east gate before re-opening. Most of the street has been closed during construction and without concrete being returned to that gate post, it will not function properly.
- I. Town Meeting Articles:** Both requests to use waterways enterprise fund retained earnings for waterways-related projects were outright rejected by the Capital Improvement Committee without reason or explanation. The electricity and security cameras planned for the Dias Landing, approximately \$20K would have provided deterrence and protection of the private boats paying to store there, as well as the public infrastructure involved. The second request was to replace the unsafe and unreliable orange rescue boat. That request for safety and rescue on our waterways was likewise rejected without reason at the Capital Improvement Committee level. Both requests had previously received approval after presentation to the Finance Committee. Again, no published or recorded meeting minutes and no known avenue of recourse leaves the Waterways at a great disadvantage without any reasonable explanation.
- J. Harbormaster Staff:** Staff has still not been found to fill the pump-out boat crew position vacant since last spring, nor has sufficient qualified staff been hired to maintain routine harbor patrols. Both of those positions have been sent to the Personnel Director for required posting on the Town website and processing under new procedures of the Town. Mr. Miller completed the MSOA shellfish officer training certification course. Neither the HM nor the Deputy have received any response to written requests to engage in contract renewal negotiations. Both participated in a Town-wide reclassification study, as requested.
- K. Moorings:** Paul Adam, new partner at Pioneer Mooring, appeared to request use of new mooring pennant technology in Dartmouth. He is seeking to substitute HMPE line (Dyneema, Spectra) for the specified nylon rode indicated in Minimum Mooring Specs. After much discussion about breaking strength, shock-loading of deck components, nylon stretch, solar deterioration factors, floating propensity, weighted catenary of a traditional set-up, two separate uses were requested. First, it was asked if using an HMPE pennant with traditional chain sections could allow one step downsize of line diameter; and second, if an entire mooring rode could be designed from this new type of line. The former was looked upon favorably upon motion by Roger Race to experiment, with noted results expected in the fall. It was decided that the floating propensity of the line would pose a greater navigational hazard for a full mooring rode (without chain) and would also lack the shock-absorbing characteristics of weighted chain and nylon line, would not lend to the second part of that experiment yet.
- L. Next meeting:** Monday June 10, 2019 at 5:30 p.m.

No further public comment, the meeting was voted unanimously adjourned at 8:25 p.m.