

MINUTES OF WATERWAYS MANAGEMENT COMMISSION MEETING  
MAY 10, 2011

A meeting of the Waterways Management Commission was duly called and held on Tuesday, May 10, 2011 at 7:00 p.m. at Dartmouth Town Hall. The meeting was called to order by the Chairman, Joseph Hannon. The following people were present: Roger Race, Chris Hemingway, Gerald Hickey, Michael Gill, Warren Hathaway and Gerald Clark. Also present was Mr. Steven Melo, Harbormaster.

Mr. Hannon reviewed the agenda for the evening. Mr. Hannon said that when an agenda is published, nothing should be added to it. Mr. Hickey moved to accept the agenda. Mr. Hemingway seconded. So Moved.

The minutes of the meeting of April 5, 2011 were reviewed. Mr. Hannon had a correction on page 2 regarding Mr. Klein; The minutes stated there are two classes of moorings but Mr. Hannon said it should state that this change would create another class of moorings. Mr. Clark moved to accept the minutes as amended. Mr. Race seconded. So Moved.

New Business.

Town Cost Allocations. Mr. Race said that he met with the Town Treasurer and was informed that whenever the Town Hall does any work for the Waterways, a charge is imposed in the form of an Overhead Charge. The amount of work done is how the Town figures the charges. Mr. Race feels that the communication between us and Town Hall is now better and the costs are justified.

Parking Fine Enforcement. Mr. Hannon said that Mr. Greg Barnes feels that the fines collected have to go to the general fund according to the by-laws. He said that they are proposing an article at Town Meeting that transfers fine revenue from the general fund to the Waterways Enterprise Fund. Mr. Melo asked about his continued ability to issue violations. He said that the Select Board can authorize any person to issue them. Mr. Hannon will check with Mr. David Cressman on this issue.

Mooring Regrid Funding Article. Mr. Hannon said that this article has been submitted to the Capital Improvement Committee. He said that there will be an article to fund the regrid from Waterways Retained Earnings at Town Meeting.

Swim Area Designation Request. Mr. Melo said that he received a request from Southcoast Swimming to designate an area of Appongansett Bay as a swimming area. He said that last summer he received complaints of floats in the area; he said that he has denied this request; but he is willing to help the club find another area. He said that he suggested Smith Neck Road but the swimmers find the area unsuitable. Mr. Melo said that the area they are looking for would not be for an event, but a daily swim area for the club members. Mr. Hannon said that swimming should not be within 300 feet of the Town Landing. Mr. Melo feels that the entrance will be from the Town beaches not the Town Landing. Mr. Kevin Kertscher was present; he is a member of the Swim Club. Mr. Melo said that Mr. Tim Lancaster of the Park Department said that he cannot allow swimmers to leave beach property to go beyond 300 feet. Mr. Melo said that floats/buoys in the recreation ski area would be a hazard to navigation. Mr. Hickey asked if any other areas have been checked. Mr. Kertscher said that Apponagansett Point is a flat area and is good for them. Mr. Gill suggested that they check out Gaffney Road which is a similar area as Appongansett Point. Mr. Race feels that the swimmers could be hurt by boaters and/or boats with water skiers. Mr. Kertscher said that they are looking into swimming laps; he said it could go from 400 meters to 2 miles. Mr. Hannon asked what is needed. Mr. Kertscher said that parking is not a big issue, alot of people bike to the area. Mr. Hickey said that this is becoming quite a popular sport. Mr. Melo said that swimmers cannot be in the channels or close to the landing. Mr. Melo suggested swimming at Clark Cove. Mr. Kertscher again said that they have tried alot of areas and find Appongansett Point the best. Mr. Hickey asked about Jones Beach area; he said that there is parking and swimming in this area now. Mr. Gill said that boaters sometimes speed in Apponagansett Bay which could be dangerous for swimmers. Mr. Hannon suggested meeting with Mr. Lancaster about Jones Beach. Mr. Kertscher said that he has spoken with Mr. Lancaster and was told that they will have to follow the beach rules when the beach is open. He said that he likes Round Hill but there is a problem with non-residents getting into that beach and the water is colder and rougher at Round Hill. Mr. Hannon stressed that obstacles cannot be placed in the waterways. Mr. Hickey suggested looking at Jones Beach and the end of

Gaffney Road. Mr. Kertscher said that swimmers can hear boats coming and get out of the way. Mr. Hathaway suggested Mr. Kertscher look over the Dartmouth coastline and there may be a better area for the swimmers. Mr. Kertscher asked about the water quality in the Slocum River. Mr. Melo said that it is similar to the upper harbor.

#### Old Business.

Shellfish Department. Mr. Race said that he met with Mr. Dave Cressman, Lara Stone, and Mr. Melo and it appears that the Town would like Mr. Melo to be the Shellfish Officer, although Mr. Melo would prefer not to. Mr. Race said that the Select Board will announce that they are closing all of the Town shellfish areas except the outer harbor. He said that a shellfish study will be done by the Town to create a shellfish management plan for Dartmouth. Mr. Race said that no Waterways Enterprise money will be used for this. Mr. Hathaway said that the Waterways Funds cannot be mixed with the Shellfish Department Funding. Mr. Hickey said that another person should take the course and be able to help Mr. Melo with this work. Mr. Race said that when a shellfish license is issued, a map showing the open areas should be given with the license. Mr. Melo said that just checking licenses could be time consuming. Mr. Race suggested that an outline with six bullets for Shellfish Department be endorsed by the WMC and forwarded to the Select Board and Executive Administrator. Mr. Clark said that he would like to see Dartmouth have Shellfish propagation similar to Cuttyhunk. Mr. Race said that Dartmouth once had a thriving shellfish industry and it could happen again with some extensive work.

North Side Regrid. Mr. Hannon said that we need to have the hearing we said we would have. He said we will be going to Town Meeting in June for our own funds. Mr. Gill asked if the plans were marked where the boats will go. Mr. Melo said he would like each mooring numbered by CLE so he will know where they're going. Mr. Race said New Bedford moved their moorings and then told the owners, Mr. Hemmingway and Hathaway agreed this was a good plan. Mr. Hannon said a hearing would keep the public informed, we will not be moving any boaters very far. Mr. Melo said that some people are requesting to move. Mr. Hickey said that the owners would get a letter stating where they have been moved. Mr. Hathaway suggested asking other towns if they had public hearings before doing a regrid. Mr. Gill asked if we are paying for the move, do we really need a public hearing? Mr. Melo said he can move any mooring with justification. Mr. Race said he would like to go out to bid soon. Mr. Hannon suggested we could have the public hearing as part of the Select Board meeting but Mr. Hickey feels it should be part of our meeting. Mr. Melo said people are waiting to get a mooring; but the Commission previously said to move the existing moorings first then add the new moorings as soon as possible thereafter.

Rogers Street. Mr. Melo said he has one bid to install a light pole, he said that he was told to meet with Mr. Michael O'Reilly who informed him that putting a pole in a flood zone as to go before the Conservation Committee. Mr. Hemmingway said that the gates will stay closed until the lights are on. Mr. Race said the gates and box will be installed within two weeks. Mr. Hannon suggested we should be charging for parking only on a daily basis. Mr. Hickey said if people stay in their car they'll be no charge. Mr. Hickey moved to change the parking fee rules at a public hearing. Mr. Gill seconded. So Moved. Mr. Melo said different signs will be needed. The next meeting which includes a public hearing for fee changes will be on June 14, 2011 in Room 315 at Town Hall, the same day as the ConCom meeting. The Harbormaster will leave to attend the ConCom meeting and return to the WMC meeting. Mr. Melo will ask CLE to be present at this hearing.

Waterways By-law Subcommittee. Mr. Hannon said the by-law reviews will not go to Town Meeting until the Fall Town Meeting.

Nonquitt Mooring – Mr. Dieter Klein. Mr. Melo said two people are on the Nonquitt waiting list before Mr. Klein. He sent them both letters regarding the new mooring site and both have declined the location. Mr. Melo said that he will give permission for this mooring to Mr. Klein; Mr. Klein will accept this place from the waitlist.

Mr. Gill's Agenda Request. Vehicles – Mr. Gill said he would like an update on the vehicles. Mr. Melo said that the Hummer is gone for storage. Mr. Gill would like to see all the vehicles painted commercially. Mr. Melo said that the price for Maaco wasn't worth the job done on the last vehicle. The pickup truck value is lower than the cost of a shop painting. He says it is a better value for boater fees to have an assistant paint any future vehicles, same as we do with our boats. Mr. Hemmingway said that we have been over this same issue at least five times

already. Mr. Hannon feels the Harbormaster should have the discretion on what to do with the vehicles. Mr. Gill moved to send the trucks out to be painted and lettered. There was no second on this motion.

Harbormaster Vacation – Mr. Hannon said that Mr. Greg Barnes has sent a letter to the Harbormaster to use up more of his vacation allotment. Mr. Melo said that he can't take all his vacation during the boating seasons; he said he had to cancel two winter vacations due to commitments the Town put upon him this year. The town also asked him to take-on additional work with shellfish responsibilities on the same day it asked him to take more time off for vacation. He feels these are contradictory requests from the Town since he has been working 60-80 hours each week just to keep up with waterways issues. Mr. Melo said that he doesn't usually even get to take his 3 allowed personal days, which are lost if not taken during each fiscal year due to the demands of just the Harbormaster job, let alone adding shellfish to that. Mr. Gill feels that Mr. Melo should take some time off. Mr. Melo asked if maybe the next four weeks would be good timing for the department? He stated that his contracted issues are between him and the Town Hall, but that the commission knows it costs the Department more money in Assistant pay to cover his absence than it does for him not to take his vacation time.

Staffing – Mr. Gill said that Mr. Melo needs someone that can take over when he goes on vacation – a second in command. Mr. Melo agreed that he needs such a person; presently, there is rarely anyone to cover for him for extended time away. He tries to get away when Assistants can cover, but often ends up working with them to complete Department projects that he cannot do alone. Mr. Race said that earlier next year we will have to consider raising fees to hire additional staffing. Mr. Hannon asked if there is enough staff to cover the current summer season. Mr. Melo said that the same staff will be returning, maybe others can be added, but there was not enough money budgeted in fiscal 2012 to hire a full-time Assistant.

Harbormaster Report.

Budget Update. Mr. Melo gave an update of the budget and stated it is where it should be this time of the year.

Public Comment. None.

The next meeting is scheduled for Tuesday, June 14, 2011 at 7:00 p.m. at the Town Hall; this meeting will include a public hearing.

Respectfully submitted,

Diane L. Vieira.