

MINUTES OF WATERWAYS MANAGEMENT COMMISSION MEETING

Thursday January 14, 2016

A meeting of the Waterways Management Commission was duly scheduled for Thursday, January 14, 2016 at 4:00 p.m. at Dartmouth Town Hall Room 314. The meeting was called to order by the Chairman, Gerald Hickey. Present were members Roger Race, Joseph Hannon and Geoff Marshall. Also present was Mr. Steven Melo, Harbormaster and David Cressman, Executive Administrator of the Town.

Mr. Hickey reviewed the agenda. Mr. Race moved to accept the agenda. Mr. Marshall seconded. So Moved.

The minutes of the prior meeting of November 19, 2015 were discussed, but without a quorum present at that meeting, they will be posted as recorded for public information only.

Deputy Assistant Harbormaster Process: Mr. Cressman stated that the Select Board held discussions in executive session at their 1/11/16 meeting regarding the Deputy Assistant Harbormaster position. Mr. Miller was not able to attend that meeting or executive session. Mr. Cressman reported to the waterways commission that Mr. Miller presented several questions in writing regarding the employment contract emailed to his attention on the Friday before that Select Board meeting (1/8/2016). Mr. Cressman characterized most of Mr. Miller's contract questions as "security" related. Mr. Cressman announced that the Select Board, in the absence of Mr. Miller, voted to authorize an hourly rate lower than the \$24.00 per hour (Commission recommendation) specified in the contract sent to Mr. Miller by the Personnel Director. Mr. Cressman said he would not elaborate on the exact amount voted by the Select Board in executive session, but that the rate per hour had been lowered unilaterally. Mr. Cressman announced that a meeting was scheduled between himself, Personnel Director, Town Counsel and Mr. Miller on the afternoon of Thursday January 21, 2016. At that time the questions raised, and apparent inconsistencies in the proposed employment contract would be discussed, as well as the new unknown wage voted by the Board would be announced to Mr. Miller. Mr. Hickey noted that it has taken a long time to get from the appointment in September, the Town Meeting vote in October, to a contract finally in January. He stressed that the Harbormaster and himself had been on top of this to allow for a January first start date. Mr. Cressman did not address the time frame, but claimed that posting the position as "up to \$25 per hour" caused problems. Mr. Melo and Mr. Hickey replied that the Commission agreed it was good practice to have the hourly rate match the level of qualifications held by the chosen candidate. Mr. Cressman disagreed.

12 Rogers Street: Mr. Hickey reported that the latest tour of that structure was made by Building Inspector Murphy, Mr. Melo, Mr. Hickey and Mr. Roland Valois. Mr. Valois, a local contractor of much experience and skill was asked to view the structure and evaluate the potential and best use for it. It was agreed by all at that tour that the building should not be demolished. Based upon use and activity limitations recorded on the property deed following the soil engineering study performed for Mr. Cressman, the highest and best use of the structure remains a non-residential use by an agency, business or non-profit group. If no suitable tenant can be found after a length of time, Mr. Valois suggested the structure could be converted into a boat barn/workshop while retaining most of the same exterior appearance to fit with the residential neighborhood. Mr. Cressman requested a "position paper" from the Waterways Commission regarding their considered plan for continued and future use of the structure at 12 Rogers Street. Mr. Hickey stressed again that the waterways purchase of this property was primarily for the land needed to complete the capping of the contaminated Park Oil site taken by the Town for unpaid taxes. Mr. Cressman stated that he doubted the building inspector would approve a change in use of the waterfront building for a workshop without code updates. Mr. Melo reported that Mr. Murphy was ok with that type of use during the tour of the site, unless his opinion has been changed, but non-habitable use with proper doors would not trigger non-compliance in that zone. Mr. Cressman stated that he wanted the Commission's position paper within a month, and didn't want that building to become an issue in his pursuit of property on Water Street. The Commission moved (R. Race) and seconded (G. Marshall), and voted unanimously on the concepts discussed as the basis for their recommendations in the position paper to be drawn by Mr. Hickey and Mr. Melo.

Bouchard Funded Rogers Street Boat Ramp: Mr. Hickey asked Mr. Cressman what was really going on with the money that Mr. Melo secured in a Bouchard Oil Spill grant for the installation of a roll-out, pre-fabricated concrete boat ramp from the bottom of Rogers Street? The announcement of the award was sent to the Conservation Officer instead of the applicant. Mr. O'Reilly of Conservation told Mr. Melo that Mr. Cressman wanted Mr. O'Reilly to "run" with this project now. Mr. Race also asked how the Town's pursuit of funds for a

storm water remediation in that area could impact the ramp area. Mr. Cressman stated that Mr. O'Reilly has been working on funding/permitting for storm water scrubbers at the end of Rogers Street. He asked Mr. O'Reilly to integrate both projects in installation and permitting. Mr. Hickey stated that he wants it clear that the Bouchard Grant funds, together with remaining CPC funds committed to this last phase of the project, would be the total waterways contribution in funding. If those funds are re-directed to other projects, there would be no contribution from waterways for the ramp. Mr. Melo stated that the combination of grants funds, slightly over \$25,000 was more than sufficient to purchase, deliver, and unload the concrete slabs to the site, and install them on a graded surface. State permitting was supposed to be simplified due to the type of structure and was also factored in the project cost. Funding for permitting or work on storm water structures was not part of our project, and should remain that way. Mr. Cressman states that Mr. Melo should continue to work on the ramp project with Conservation.

NBPD Boat Acquisition: Mr. Melo reported that the transaction was completed just prior to the end of 2015. A successful and favorable marine survey had been conducted by Mr. James Igoe, and accredited and well-respected surveyor. The survey showed superior condition of the hull and systems, as well as an exceptional value in the acquisition. The boat remains secure and available in New Bedford pending confirmation of insurance coverage for transit and use in Dartmouth.

Winter Status of Boats, Floats and Office: Mr. Melo gave an update on the removal and winterization of Department boats, removal and storage of floats from the Dias Landing, launching of winter 22' Angler for upper harbor needs (rescue, water sampling, etc.), and work on Landing office. Mr. Hickey stated that use of the shack at the Dias Landing as a public meeting office for the Harbormaster and staff would be needed for the 2016 season during the causeway reconstruction.

CLE Engineering Proposal: Mr. Melo sent the endorsed CLE proposal for optimizing, re-gridding or re-aligning the mooring field south of the Padanaram Bridge. He has not heard from CLE over the holidays, but is not rushing this project in light of more pressing demands and lack of full-time assistance. Mr. Race said he will reach out to Susan Neilsen at CLE to see if anything more is needed to begin.

2016 Billing: Mr. Melo described the progress and difficulties encountered with the generation of all 2016 season invoices needed for generation of waterways funding. Mr. Hickey pointed out to Mr. Cressman that this is yet another example of why he had been pushing to get Mr. Miller on board by January first.

Commercial Mooring Inquiry: Mr. Melo presented correspondence received from Mr. Nolan at South Wharf regarding what was described as a commercial mooring application. Mr. Cressman gave a brief update on the on-going litigation or appellate review regarding changes at the south wharf property. Mr. Hickey stated that the response given by Mr. Melo was accurate and appropriate regarding the need to address the individuals on the mooring waiting list and the reports by the State Inspector General.

Allen Street Storage Garage: Mr. Cressman stated that some people have been "chomping at the bit" to re-purpose the old fire station/current Park Department structure on Bridge Street. Mr. Race noted that there has been much activity and construction changing the look of Padanaram Village, undoubtedly prompting more opportunities. A Memorandum of Understanding (MOU) had been prepared by the Town for shared use of Allen Street DPW property. Mr. Cressman stated that his office would be paying the utility bill for that site. The waterways/harbormaster would be using outdoor storage on the pavement for storage of boats and trailers at no cost to the Department. On that basis the Waterways Commission would agree to the MOU. Mr. Hannon stated that as an advisory board only, it would be better to have Mr. Melo sign the MOU on for the Department. Mr. Cressman asked Mr. Melo to deliver five signed copies to the Park Department Office the next day.

Public Comment: None.

The meeting was adjourned at 6:15 p.m.