

MINUTES OF WATERWAYS MANAGEMENT COMMISSION MEETING  
MARCH 26, 2012

A meeting of the Waterways Management Commission was duly called and held on Monday, March 26, 2012 at 6:00 p.m. at Dartmouth Town Hall. The meeting was called to order by the Chairman, Gerald Clark. The following people were present: Chris Hemingway, Joseph Hannon, Michael Gill, and Warren Hathaway. Excused were Roger Race and Gerald Hickey. Also present was Mr. Steven Melo, Harbormaster.

Mr. Clark reviewed the agenda for the evening. It was moved and seconded to accept the agenda. It was explained that the meeting would adjourn at 6:45 p.m. to meet with the Select Board and then reconvene after.

Old Business.

Rogers Street Update. Mr. Clark stated that U-Mass Dartmouth has replied that they don't have any interest in leasing the house at the present time. Mr. Hannon said that he attended a meeting at U-Mass and they replied to Mr. Cressman today that they are not interested in leasing this year. Mr. Clark said that we will be putting a lockbox at the property for parking and we will be opening the entrance gate as soon as ready. Mr. Melo said that he has not heard from Community Boating since U-Mass as pulled out. Mr. Melo said that the Park Department will hopefully be cutting the grass for a fee again this year. Mr. Hemingway feels that we should tell the Select Board that we will be opening the gates soon, and the property will be closed from November 1<sup>st</sup> through April 1<sup>st</sup>. Mr. Clark said that the Town owns Rogers Street but we upkeep and maintain the property. Mr. Hemingway said that the brownfield conversion was paid for by grant money from the CPC; not Town taxes.

Waterways By-Law. Mr. Clark said that we would be meeting with the Select Board at 6:45 pm regarding this issue. Mr. Clark said that the Select Board has a draft by-law that was created by Mr. Cressman and Mr. Brian Cruz. Mr. Melo said that the draft would transfer power, back according to the State Laws. Mr. Clark said that he will be doing the speaking at the Select Board Meeting with the support from the WMC. He said that this is a revisit to by-laws from the fall when we were notified by Mr. Cruz that the WMC could only exercise advisory power under the current state laws. A two-part change went before the October Town Meeting as one package and was voted down. The WMC has met with Mr. Cressman to have a re-draft of only one change. A major concern is the fines set now by the WMC. Mr. Melo explained we enforce the fines and the Town collects them. Mr. Hannon said that Mr. Melo would have the power to set waterways fees and there is a separate by-law to get the penalties for the fees from the Town.

North Side Mooring Regrid. Mr. Melo reported that Pioneer Mooring has done all they can for the present time, at least 60%. He has a list of the moorings that couldn't be moved and they are in the process of notifying the mooring owners that they have to find or identify their mooring gear so that it can be moved into the grid. Any moorings that cannot be identified or found will be removed from the water. Mr. Hannon asked if people on the waiting list should be hearing soon on available moorings? Mr. Melo said not until after the moves are complete, the seasonal preparations are done, and that he would report this to the Select Board tonight if asked. Mr. Gill asked about the abandoned or unmarked moorings. Mr. Melo said that Pioneer will be putting them into a pile for removal from the waterway and the true owners will have to claim them and pay for the move if they can identify the unmarked obstructions. Mr. Gill asked if we could use the abandoned moorings. Mr. Melo said we can but there is a chance that the owners will claim them in the future. He said that if someone says they don't want the mooring and it is a good one, we could use it for municipal sites if Town Counsel agrees.

At 6:45 the meeting was adjourned to go to the Select Board Meeting.

At 7:20 the open meeting was resumed.

The minutes of the meeting of February 7, 2012 was reviewed. Mr. Hannon moved to accept the minutes. Mr. Hemingway seconded. So Moved.

Harbormaster Report.

Budget. Mr. Melo reported that the budget was submitted. He said revenue remains the same; the renewal bills are due the end of March. Any unpaid bills will have a late charge fee attached to it in accordance with Town by-law and Commission actions. Mr. Melo said that the current regulations are still being applied. Mr. Melo said that after June Town Meeting he would continue the regulations that were adopted at the 2003 Town Meeting along with the fee schedule. Mr. Melo said that the new regulations will allow a non-criminal fine be attached to

wrongful acts and omissions under the waterways regulations and by-laws. Mr. Melo can adopt the regulations, but the fines have to be adopted by Town Meeting. He said that Lisa is working 4 days a week on the billing. Mr. Melo said that there is, and has long been a user's guide available for the people interested in moorings. Towns are now moving toward adopting and publishing these user guides for all government interactions. He said that when the moorings are available, the people on the waiting list will be a letter and map showing where the mooring is located and they are to respond if they want the mooring or not. He said that about 110 people now on the waiting list indicated they wanted the North Side or the first available mooring on either side, they will be the ones contacted. If someone doesn't want the mooring now, it will go to the next person; he said that the present economy may stop some from wanting the mooring now.

Mr. Melo said that he has submitted the FY 2013 Budget incomplete since he didn't have the final overhead figures.

Public Comment. None.

Mr. Hannon noted that when he entered the Select Board Room a reporter asked him about the opening of Rogers Street, she would like to send a reporter and photographer there if a ceremony is being held for the opening. Mr. Melo said that he would ask Mr. Cressman about street-sweeping the parking lot. Mr. Melo said that we could open it quietly now and have a grand-opening at a future time.

Mr. Gill asked about the docks. Mr. Melo said that he received one bid for \$12,000., but it included things that don't have to be done immediately. This includes replacing planks with high-pressure treated wood; he said that he would try to find local men that can do the repairs separately. He said that he would like to set aside money each year and do the jobs as needed and not one big overhaul job.

Mr. Melo asked if anyone has a better idea for the unclaimed moorings in the North Side Regrid. He feels that this plan will help clear out some of the unused moorings. He said he is willing to go and help people find their moorings. He said that if people come in saying they now want larger or smaller vessels, they would be told it is too late and they will have to wait until the regrid is finished to see if anything else will be available. He said Pioneer would be taking a couple weeks off to give owners a chance to identify their moorings. He said Lisa will be sending out letters to the owners about the mooring moves and where their new mooring will be located; the mooring companies will also have to be notified of the new locations. He said that the Town Transit Moorings would be available at not charge due to the Coast Guard Regulations; there will be six moorings located along the causeway. He said that the people would have to notify the office when they are using the moorings. These moorings can also be used to hold vessels that are waiting to go through the bridge.

Mr. Melo reported he would be in Boston tomorrow attending a Statewide Mooring symposium. He said that it would cover information on the state mooring regulations. He said one of the subjects covered would be excise taxes; with excise taxes being due to the Town that the vessel is principally moored in.

Mr. Melo said that Lisa has been working 32 hours weekly and she will be eligible for Town Benefits. He is waiting to hear from Mr. Cressman about this.

Mr. Melo said that a surplus 41' Coast Guard boat has been obtained for local Harbormaster use and that it will be shared among towns in the Cape & Islands Harbormaster Association. The association will be responsible for insurance and maintenance, and it will be used by Towns for functions or events.

Next Meeting. The next meeting will be announced at a later date.

It was moved by Mr. Hannon to adjourn the meeting at 7:50 pm. Mr. Hemingway seconded. So Moved.

Respectfully submitted,  
Diane L. Vieira.