

## MINUTES OF WATERWAYS MANAGEMENT COMMISSION MEETING

October 2, 2012

A meeting of the Waterways Management Commission was duly called and held on Tuesday, October 2, 2012 at 7:00 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, Roger Race, Warren Hathaway and Gerald Hickey. Absent was Michael Gill. Also present was Mr. Steven Melo, Harbormaster, Gregory Barnes, Town Treasurer, Deborah Melino-Wender, and Mr. David Cressman, Executive Administrator.

Mr. Clark reviewed the agenda for the evening. Mr. Race moved and Mr. Hannon seconded to accept the agenda as presented.

The minutes of the meeting of June 26, 2012 were reviewed. Mr. Race moved to accept the minutes. Mr. Hickey seconded. So Moved.

### **Harbormaster Report.**

**FY 2013 Budget Update.** Mr. Melo presented a waterways enterprise budget summary for the first three months of fiscal year 2013. The Town Accountant has switched to issuing three month summaries instead of the past monthly updates. The budget summary shows receipts and expenses consistent with the prior year at the same time. Exactly fifty percent of the Assistant HM salaries have been expended during the recent boating season. The balance should suffice for the remainder of this season, billing and May through June of the 2013 season. Mr. Hannon asked about revenue following the re-grid. Mr. Melo pointed out that receipt of approximately \$2,000 over prior year reflect the assignment of new moorings since the start of this fiscal year, an assignment process that is still on-going. Mr. Melo noted that current fiscal year Town overhead charges taken from the enterprise fund will exceed \$38,000.

**North Mooring Re-Grid Project.** Mr. Melo reports that the moves are completed and most of the abandoned gear has been removed. Assignments are continuing with roughly less than 50% acceptance of the new sites. Mr. Hickey asked how the assignment process works if someone declines an assignment. Mr. Melo reviewed the policy adopted long ago by the HM and Commission, and explained in regulations and assignment correspondence wherein a mooring applicant is allowed to reject the first site offered without losing position on the wait list, but if a second site offered is rejected or ignored, the candidate is removed from their entry date and time on the list and re-entered with a new application date and time reflecting their second attempt date. Mr. Melo also noted that the office will make every effort to confirm contact with the applicant and offer a site that is in-line with their intended vessel use. He noted that there are still a limited few current permit holders on the north side that are seeking to change their engineer-assigned locations for various reasons that include proximity to home or dinghy area, bird droppings, or depth. Those will attempt to be resolved as site swaps and changes allow. It remains an on-going process of refining the large-scale project.

**Community Boating Request for Storage.** Mr. Melo was called by Brian Nobrega of Community Boating Center regarding the possibility of CBC working out a storage arrangement with the Town or Waterways for off-season storing and launching of the large CBC floats that have long been on their front lawn. Mr. Melo has not received any written or formal request, just an initial inquiry that he responded to by stating that any specific discussion would need to be with the Town Administration or their designee. Roger Race suggested that with the recent change in leadership at CBC, time may be right to re-explore mutually beneficial cooperative opportunities between waterways and CBC, especially regarding the Rogers Street properties. Warren Hathaway gave a brief outline of the changes currently being experienced at CBC with regard to their direction and goals. Roger Race re-stated his desire to re-open dialog with CBC for a partnership in that area. Mr. Hickey stated that he would reach out to Toby Baker or any other board member at CBC to explore that option.

**Harbormaster Vehicle Replacement.** Mr. Melo announced that after years of nursing long the 1985 former military vehicles he acquired for free as federal surplus, it appears to be time to retire and replace the blazer and pick-up truck. He has re-wired the electrical systems and patched the numerous body panels to the point where he believes that the safety and reliability required for immediate response to boater or waterways emergencies cannot be assured. He would like to replace the current Blazer and pick-up truck with one new vehicle that could be used to transport staff and haul vessels safely. Mr. Melo stated that he always focused expenses toward the reliability

of boats that he needed for his primary responsibility on the waterways, but a suitable, reliable vehicle is also integral to movement and servicing of the Department vessel and to perform recently-added natural resource responsibilities that take him to the more remote waterfront reaches of the town. Mr. Hemingway asked about the status of the military surplus Humvee. Mr. Melo replied that he will still rely upon it for off-road duties. That Humvee would remain an important resource for staff to reach remote waterfront sites, but that towing capacities are questionable due to the chassis configuration. He noted that even the police department did not install a receiver hitch on their similar vehicle for towing. Mr. Melo acknowledged that Mr. Cressman had generously offered to transfer to the Harbormaster his town Ford Taurus station wagon when Mr. Cressman replaces it with a new vehicle. Mr. Melo believes that it might not be safe to carry cans with 50 gallons of gasoline in that car, and especially not to tow 10,000 lb. vessels over the road or up a boat ramp. He noted that the weight of the Department's larger vessels should require at least a one-ton towing vehicle for safe braking. It would need to have a tow package, winch and approved fuel caddy installed. Mr. Melo noted that he is required to carry gasoline to the vessels. Mr. Hickey suggested checking fuel prices at the Coast Guard Auxiliary facility in Fairhaven, or at NBYC for comparison. Mr. Hannon moved, and Mr. Race seconded that the Commission recommend that the Harbormaster purchase a suitable new vehicle for the Department from retained earnings of the enterprise fund and keep the military Humvee as a secondary vehicle for rescue and transport as needed. Approved unanimously. Mr. Melo will begin that process over the winter.

**7:30 discussions regarding 12 Rogers Street.** Mr. Cressman was present with Deborah Melino-Wender and Gregory Barnes to discuss environmental issues at 12 Rogers Street. Prime Engineering conducted soil tests showing elevated lead and trace other metals in the soil. These are likely from prior use of the entire neighborhood as an industrial dump. They also detected minimal, intact lead paint and asbestos materials used in the house construction that might need remediation depending upon building uses or demolition. The levels of lead detected in the soil do not trigger immediate DEP involvement; however a required 120 day response plan clock has now begun. Mr. Race spoke with the engineer at Prime, and relayed that soil remediation could be accomplished as simply as adding a 3 inch clean topsoil and re-seeding. Mr. Cressman stated that he is tending toward tearing down the building at 12 Rogers Street because he cannot see a viable use for the building. If anyone can suggest a viable future building use to him, he will listen. Mr. Hickey disagreed with demolition just to get the issue off Mr. Cressman's plate. The building is unique in that it is one of the very few waterfront buildings owned by the Town. Replacement would never happen with current flood plain restrictions. He would not support tearing it down without some serious alternative use suggestions, especially since boater fees are still paying for the structure, and likely would continue to do so after demolition. Mr. Cressman sees demolition and removal, with continuation of the blacktop over the entire lot as the best solution now. He is also concerned about hurricane exposure and the time it would take to prepare the building before a storm. Mr. Cressman also suggested involving the Park Department in discussions for uses of the lot. Mr. Melo stated that he does not store vulnerable items on the lower level. Mr. Cressman stated that the Park Department will be removing softball fields from Jones Park and adding Lacrosse and field hockey fields to the Park. They may be interested in parking patrons at the Rogers Street facility if parking is lost at the Park. Mr. Hemingway asked if Mr. Cressman would be conducting similar environmental tests at Jones Park since it is now known that the entire neighborhood was used for dumping. Mr. Cressman indicated that he did not want to open another can of worms on that property. Mr. Hemingway indicated that children playing in and on that dirt might be more risky than any uses of the yard at 12 Rogers Street. Mr. Cressman received the preliminary reports recently, and wants to digest and discuss the findings and options with staff. He anticipates meeting with the Commission again in 30 to 60 days for further discussion of plans. Mr. Race asked where the \$5,000 funds for this recent first phase of engineering came from. Mr. Barnes indicated that the waterways still has \$4,405.00 remaining from the purchase bond for the 12 Rogers Street property. Mr. Cressman stated that he paid the \$5,000 to Prime Engineering from another town hall account he controls.

Public Comment. None.

It was moved and seconded to adjourn the meeting at 8:08 p.m.