



Waterford-East Lyme Shellfish Commission



Meeting Minutes
Thursday, December 19, 2019
Waterford Town Hall, 7:30 pm

Members present: Chair Peter Harris, J. Patrick Kelly, Paul Spakowski, Eric Kanter, Tom Bowlen, Larry Tytla, Elizabeth Gelinias, and Marcia Benvenuti
Members absent: None
Guests: D. Cunningham, T. Londregan

FILED

January 21, 20 20 AT 8:14 AM/PM
Brooke Stewart
EAST LYME TOWN CLERK

- 1) The meeting was called to order at 7:30 pm and a quorum established.
- 2) Approval of Minutes from previous meetings:
 - a) Approval of the previous meeting minutes was delayed to the next meeting on a motion by Ms. Gelinias, seconded by Mr. Spakowski, vote : 8-0
- 3) The Treasurer's report for November 2019 was approved on a motion by Mr. Spakowski, seconded by Ms. Gelinias, vote : 8-0
- 4) The Warden's report was delivered by Chair Harris. The Niantic River is currently closed to shellfishing. The scallop season so far has had low yields. Two individuals were given citations for scalloping before 9:00am.
- 5) Old Business-
 - a) Oysters were placed in the river at the end of November.
- 6) New Business-
 - a) A motion to approve the purchase of scallop seed from Niantic Bay Shellfish Farm was made by Mr. Spakowski, seconded by Mr. Tytla, motion passed 7-1 (Ms. Benvenuti opposed). Approximately 17,000 scallops between 0.75-1.25" will be purchased from NBSF at a cost of \$175 per 1000. NBSF will donate an additional ~1000 scallops to WELSCO at no cost.
 - b) A motion to approve NBSF permission to retrieve 100 scallops from the Niantic River for Aquaculture purposes was made by Mr. Kanter, seconded by Mr. Kelly, motion passed 7-1 (Ms. Benvenuti opposed). Motion included the following condition: WELSCO reserves the right to be provided, at no cost, up to 5% of any scallop purchased from this stock by NBSF in 2020 for restocking the Niantic River.
 - c) A motion to authorize Chief Warden Chmiel permission to hire an additional WELSCO Shellfish warden was made by Mr. Kelly, seconded by Mr. Spakowski, motion passed 8-0.
- 7) Ex-Officio comments-
Updated the commission on town matters including the concern with the potential impact of fire-fighting foam on local waters.
- 8) Correspondence -
 - a) Update on Shellfish Commission Gathering to be held Jan 11. 2020 at the CT Agriculture Experiment Station.
 - b) Milford Aquaculture Seminar, Jan 13-15, 2020, a motion was made by Mr. Kanter, seconded by Mr. Spakowski to allocate up to \$1000 for Mr. Harris and Mr. Kelly to attend this year's seminar. Motion passed 8-0.

c) Ms. Benvenuti presented a written statement for the record (attached to these minutes).

d) Mr. Kelly presented the CPA report to the commission.

9) Public Input—

none

10) The meeting was adjourned at 9:10 pm on a motion by Mr. Spakowski, seconded by Mr. Tytla.

Respectfully submitted,

Peter Harris

Concerns to WELSCO from member Marcia Benvenuti for the 12/19/19 WELSCO meeting
To be entered into the official record of this meeting

I would like to officially voice my concern for the lack of transparency and incomplete record keeping by our commission. All correspondence is not being included in our packets and all WELSCO emails are not being relayed to all commission members.

Recently, Dec.3, 2019, we each received an email from Peter Harris forwarded from NBSF (T. Londregan). This was not included in item 8 of the agenda "correspondence" and is relevant to agenda item 6a. Similarly, Peter forwarded me additional emails he received on Dec 3, 2019, only when I requested all paperwork related to agenda item 6b on Dec15, 2019. This material was also omitted from our packets even though it is relevant to 6b and was also not included in item 8 correspondence.

Additionally, the minutes from the Nov. meeting were not included in the packet delivered to me on 12/16/19, and the May 16, 2019 minutes were.

We must remedy these issues ASAP. FOI requires better record keeping and management of our official business. We must hire a secretary, and all documents concerning WELSCO must be recorded and dispersed automatically and in a timely manner.

REGARDING ITEMS 6A AND 6B OF WELSCO 12/19/19 AGENDA

6a: purchase of scallops from NBSF

1. NBSF at Marker 7 Marina is, as of Oct. 7, 2019, under a cease and desist order from the town of East Lyme, which he is currently appealing. I think we should table all action until the case is resolved in court. We represent the citizens of Waterford and East Lyme, and should not be doing business with a business our towns have sanctions against. We should not be endorsing nor enhancing the position of NBSF against the towns we serve. No action should be taken at this time.
2. Additionally, any purchase of scallop seed is a real gamble, especially at this time of year.
3. We voted against purchasing clam stock, so why seed a much more fragile species?
4. NBSF has been allowed to take 100 scallops in the past from the Niantic River, and has admitted they did not reproduce.
5. When the **free** seeding of oysters by the Shellfish restoration Project was proposed, we formed a sub committee and studied the proposal for months.

6b: retrieving of scallops by NBSF for aquaculture purposes

1. After requesting all paperwork and correspondence for item 6b, I received related documents on 12/15/19. Again, I am opposed to taking any action that concerns NBSF until his legal issues with East Lyme are resolved.
2. We are asking our citizens to pay for permits to harvest scallops from 12/15/19-1/14/20. Why should NBSF get them at no cost?
3. NBSF has been given 100 scallops in the past **free of charge**, in the hopes of reproducing stock. NBSF reported they all died.

Marcia A. Benvenuti
12/17/19