



# Waterford-East Lyme Shellfish Commission



Meeting Minutes  
Thursday, February 20, 2020  
Waterford Town Hall, 7:30 pm

Members present: Chair Peter Harris, J. Patrick Kelly, Paul Spakowski, Tom Bowlen, Larry Tytla, Elizabeth Gelinias, and Marcia Benvenuti  
Members absent: Eric Kanter  
Guests: Ex-Officio D. Cunningham

FILED

Feb 24 2020 AT 8:30 AM/PM  
*(Handwritten Signature)*  
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:

The minutes of the Jan 16, 2020 Regular meeting were reviewed and approved on a motion by Mr. Spakowski, seconded by Mr. Tytla, vote : 7-0

- 3) The Treasurer's report for January 2020 was approved on a motion by Mr. Spakowski, seconded by Mr. Tytla, vote : 7-0
- 4) The Warden's report was delivered by Chair Harris. Mr. Harris discussed a potential issue with the number of boats in the Niantic River and this is being reviewed by the Bureau of Aquaculture. This review is in its preliminary stages but this may impact the shellfish beds open/closed status in the summer. Mr. Harris forwarded an e-mail to both the EL and WTFD Harbor Management Commission chairs regarding this issue. Discussion ensued.

5) Old Business-

- a) Work by Chief Chmiel to hire an additional shellfish warden continues.
- b) Chair Harris announced he will remain on the commission but still intends to step down as Chair. A decision naming the new chair will be made at the March meeting.
- c) A secretary has not been identified. Discussion ensued on how to effectively recruit a secretary given this problem exists for other town commissions. A possible solution discussed was having a secretary from another board or commission also perform WELSCO secretary duties. The hiring of a bookkeeper was also discussed with several possibilities discussed. Also, Mr. Kelly stated that Waterford will no longer provide printing services to WELSCO. Further clarification of this policy should be discussed with town officials.

6) New Business-

- a) Compensation increases for the Chief Warden and Warden were approved on a motion by Mr. Spakowski, seconded by Ms. Gelinias, vote 7-0. Compensation for the secretary was tabled pending hiring a secretary or discussions with town officials regarding job sharing possibilities (5c above).
- b) Chair Harris discussed funding of a SeaGrant Responsible Lawn Care publication that WELSCO has funded previously. Cost is \$1000 for The New London Day ad and will be divided equally by Waterford Shellfish, East Lyme Harbor Management/Shellfish, and the Niantic River Watershed Committee. Motion was made to approve \$250 for this by Mr. Spakowski, seconded by Mr. Tytla, vote 7-0.

- c) Ms. Benvenuti submitted a letter for the record which is included below.

7) Ex-Officio comments-

Updated the commission on town matters including the progress being made on the Public Safety building renovations.

8) Correspondence -

- a) An e-mail was rec'd from the Waterford Town Attny clarifying that liability insurance coverage does not include WELSCO employees.
- b) Chair Harris shared an e-mail between himself and Dr. Jamie Vaudrey (UConn Avery Point) regarding eelgrass restoration feasibility.

9) Public Input-

- a) Fred Wise, 138 Niantic River Rd, Waterford requested a copy of the eelgrass e-mail and a Bureau of Aquaculture presentation related to the National Shellfish Sanitation Program.

- 10) The meeting was adjourned at 8:38 pm on a motion by Mr. Spakowski, seconded by Mr. Tytla.

Respectfully submitted,

Peter Harris

2/20/2020 WELSCO regular meeting

Dear WELSCO board members,

I feel there is a misunderstanding of my intentions as a member of WELSCO. I only want to move forward with our goal to enhance the recreational use of the Niantic River for all the residents of Waterford and East Lyme. I also want to ensure all state and municipal standards are being met in the process of doing WELSCO business.

To that end, I have proposed many things that seem unnecessary to the rest of the WELSCO board. However, in an era of scrutiny and controversy, it is in our best interest to follow those standards as they protect us against litigation.

I have also received hard evidence that I am the only member being excluded from the list of members receiving certain WELSCO emails, even when directed by town officials to include me. This practice must stop. I, nor any other board member, can be excluded from WELSCO business documents.

I do not feel the need to proceed with a formal FOI complaint if we can agree that from this time going forward, all WELSCO business documents will be forwarded without exclusions.

I have the same love and appreciation for our unique river as all of you do. My intentions are to keep it as healthy as possible for future generations, and be a responsible steward of this environment.

I have, as promised, attached the emails we all received (2 pages) that explain our insurance coverage requested by Pat Kelly.

Please include this letter and the emails in the official minutes of this meeting.

Sincerely,



Marcia Benvenuti

Message received. Thank you.

-----Original Message-----

From: copier user <copier@sswbgg.com>  
Sent: Thursday, February 6, 2020 11:14 AM  
To: Robert Avena <RAvena@sswbgg.com>  
Subject: Scanned from a Xerox Multifunction Printer

Please open the attached document. It was sent to you using a Xerox multifunction printer.

Attachment File Type: pdf, Multi-Page

Multifunction Printer Location:  
Device Name: XRX9C934E944B1B

For more information on Xerox products and solutions, please visit <http://www.xerox.com>

**Robert Avena**

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**From:** Robert Avena  
**Sent:** Tuesday, February 4, 2020 2:21 PM  
**To:** Robert Avena  
**Subject:** FW: CIRMA coverage for Town of Waterford public officers

**From:** FIONA PORTO <FPORTO@CCM-CT.ORG>  
**Sent:** Thursday, January 23, 2020 2:25 PM  
**To:** Kathleen Peterson <kpeterson@waterfordct.org>  
**Cc:** Robert Avena <RAvena@sswbgg.com>; Ashley Reda <AReda@CCM-CT.ORG>  
**Subject:** RE: CIRMA coverage for Town of Waterford public officers

Hi Kathleen,

I had run everything by our claims folks back in 2018 and our Liability-Auto-Property policy would respond to the commission members appointed by the Town of Waterford please see the below piece from Waterford's LAP policy - under Who Is An Insured. However, the employees of the Waterford-East Lyme Shellfish Commission are not covered under Waterford's LAP policy. Please see the "Who Is An Insured" section of your policy;

- A. Who Is An Insured
3. Each of the following is also an insured to the extent indicated:
  - a. Your elected or appointed directors, officers, officials, and members of any boards or commissions, but only with respect to their duties as your directors, officers, officials, or board or commission members.

The above would apply to both General Liability and Public Official Liability.

I've attached the additional communication I had with Atty Avena back in 2018 as well. If the structure is still the same as it was back in 2018 then the WELSCO should still maintain their own insurance coverages for their entity / organization, ie their wardens, recording secretary, etc. as they are not employees of the Town. As long as the structure is the same then this would still be our response.

Please let me know if you need anything additional!

I've added Ashley Reda as she is the underwriter that handles Waterford now.

**Fiona Porto, CPCU**  
Vice President of Underwriting

From: Peter Harris peterdharris1@yahoo.com

Subject: Warden Insurance

Date: February 6, 2020 at 3:30 PM

To: Paddy Kelly kelly8171@sbcglobal.net, RICHARD CHMIEL richchmiel@sbcglobal.net, Rick Kanter rick.n.kanter@gmail.com, Betsy Gelinas eag0805@yahoo.com, Paul Spakowski onemorelawn@gmail.com, Larry Tytia lmjtytia@aol.com, Tom Bowlen thomas.f.bowlen@gmail.com, Benvenuti marciaab@sbcglobal.net

All,

Please review e-mail below regarding insurance for our wardens and secretary. As always, do not reply to this e-mail related to the content.

Thanks,

Pete

----- Forwarded Message -----

From: Robert Avena <ravena@sswbgg.com>

To: peterdharris1@yahoo.com <peterdharris1@yahoo.com>; kelly8171@sbcglobal.net <kelly8171@sbcglobal.net>; marciaab@sbcglobal.net <marciaab@sbcglobal.net>

Cc: Robert Brule <rbrule@waterfordct.org>; Kathleen Peterson <kpeterson@waterfordct.org>

Sent: Thursday, February 6, 2020, 1:49:44 PM EST

Subject: FW: Scanned from a Xerox Multifunction Printer

Hello Everyone: Attached please find the letter from the town's insurer replying to my request regarding town insurance for personal insurance coverage for individual members of the WELSCO Board appointed by Waterford. Similar coverage should also be available through the town of East Lyme for the EL members of Waterford. Please note that this coverage paid by the town is in addition to, and NOT a substitute for your continuing insurance coverages WELSCO pays to insure general liability and your warden, employee, or staff, which are NOT EL or WTFD employees. If you have questions, let me know, and I will pass them on to the WTFD insurance representative.

Robert A. Avena, Esquire  
Suisman Shapiro  
20 South Anguilla Road  
P.O. Box 1445  
Pawcatuck, CT 06379

Direct Line: (860) 650-8008

Main Line: (860) 442-4416

Facsimile: (860) 599-3778

E-mail: [ravena@sswbgg.com](mailto:ravena@sswbgg.com)

Firm Website: [www.suismanshapiro.com](http://www.suismanshapiro.com)

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