

**EAST LYME HARBOR MANAGEMENT & SHELLFISH COMMISSION
REGULAR MEETING MINUTES
JULY 19, 2021 7:30 PM
EAST LYME TOWN HALL**

Chairman
Stephen Dinsmore

Treasurer
Donald F. Landers Jr.

Secretary
Craig Mason

Members Present: Steve Dinsmore, Don Landers, Joe Hitchery, Greg Murin, Craig Mason, Rick Kanter (7:39)

Members Absent: Don MacKenzie

Ex-Officio(s) Present: Harbormaster Ron Johnson, Deputy Harbor Master, Mark Berger, P. Dagle

Ex-Officio(s) Absent:

1. **CALL TO ORDER:** S. Dinsmore called the meeting to order at 7:32 PM

2. **APPROVAL OF MINUTES OF REGULAR MEETING OF JUNE 21, 2021**

MOTION: (Landers/Murin) to approve the minutes of the regular June 21, 2021, meeting as presented. Vote: APPROVED unanimously

FILED
August 5, 20 21 AT 8:06 AM/PM
Brookston ATE
EAST LYME TOWN CLERK

3. **PUBLIC DELEGATIONS:**

A. Delegations from the Public-none

B. Docko-Christina Lopes-Williams Application

The applicant will be utilizing a mosquito ditch to install posts for anchoring a kayak.

The members did not see anything from a harbor management perspective which was an issue.

S. Dinsmore will communicate with DEEP that the Commission has no comment on the application.

C. DEEP Consultation Form

DEEP is planning to do dredging the lower part of Bridebrook, this area is prone to siltation.

D. Landers informed the members that Bride Brook supports the largest migration of Alewife which migrate up into Bride Lake. He believes that the dredging will make the passage easier for the fish and the Commission should be fully supportive of any effort to enhance this native population.

MOTION: (Landers/Mason) Move to find the application consistent with the Harbor Management Plan and Shellfish Management Plan. Vote: APPROVED unanimously.

4. **REPORTS**

A. Treasurer

D. Landers suggested the invoice for boat repairs of the engine (\$1246.56) and bottom paint (\$480.00) and mooring inspection (\$484.00) be authorized. The boat repairs will be shared with Waterford. The invoice from Marker 7 of \$18, 972 should be delayed until the First Selectman and the Town Attorney is consulted. R. Johnson said the owner of the beached boat may have insurance, but he is difficult to reach and does not follow through on his statements that he will get the boat.

R. Kanter stated that he thought the DEEP had funds to help towns cover these types of expenses.

R. Johnson said every effort was made to have the owner take care of the boat both times it washed up on shore to no avail. The members thought it was the owner's responsibility to pay the invoice.

R. Kanter clarified that it was the Harbor Master and Deputy Harbor Master who hired Marker 7 to get the derelict boat, so it was only right that he sent the bill to the town. The boat needed to be taken care of immediately because of the possibility of environmental damage.

D. Landers stated the boat never should have been anchored in the bay and better communication should be established between the harbor master and the East Lyme Police Dept.

The Commission discussed having a second town mooring in the river.

B. Ex-Officio

P. Dagle reported the BOS is exploring projects for the American Recovery funds to the town.

The funds must be earmarked for items effected by COVID 19. They are looking for technology upgrades to accommodate hybrid meetings, funds for Care and Share, East Lyme Youth Services and updating microwave transmissions are some of the items they are looking to fund.

C. Harbor Master

Harbor Master R. Johnson presented a list of moorings; there are 201 approved moorings in East Lyme, six new applications awaiting inspections and approval and 41 assigned moorings awaiting inspection for a total of 248 total moorings in East Lyme. They conducted a count of moorings in the Niantic River for a total of 79 moorings in East Lyme with 6 additional winter sticks.

The harbor boat had a motor problem which was fixed, and the bottom was painted.

There were two issues with boats in the river, one sank, and another ended up on the shore of Cini Park and was removed.

R. Johnson stated Marker 7 sent an invoice for the removal of the boat that washed up on Cini Park. It was his understanding that Marker 7 would contact the owner of the boat and invoice them for the removal.

Deputy Harbor Master M. Berger stated that Marker 7 is always available and willing to do the work requested. The boat that sunk had a number of costs associated with the removal of the boat from the river; they spent two days pumping out the boat, the environmental cost and hauling and destruction of the boat.

M. Berger stated Harbor Management should not be responsible for the boats. In his opinion the East Lyme police anchored the boat incorrectly which is why is washed up at Cini Park.

The bill for salvage was a standard charge of \$125.00 per foot. The other charges of \$5000.00 for environmental costs, and disposal can be mitigated by the town if they do the work themselves.

The total of the invoice for the Carver, is \$18,972. When the Harbor Master contacted Tim Londregan from Marker 7 he was guaranteed he would be paid for the work.

R. Johnson presented a binder for moorings, information on ownership of moorings and other information pertaining to moorings. There was a question of where the information is stored and if there is a copy at town hall.

S. Dinsmore reached out to G. Steadman about liability insurance for boats, he provided an example of regulations of mooring applicants to provide a certificate of liability insurance. J.

Hitchery suggested getting an insurance person to explain what it means to have the town be an additional insured. The Commission will further investigate the issue of insurance.

5. OLD BUSINESS

A. East Lyme/Waterford Town Boundary Dispute-Update Joe Hitchery

J. Hitchery reported that he met town attorneys which will pursue historical and legal resources and will schedule a more definitive discussion with Waterford. On July 16 the town attorney discussed with the Waterford attorney about where the boundary issue originally started and why. The Waterford attorney informed East Lyme the issue started with DEEP Shellfish Commissioner giving notice to WELSCO that there is too many mooring in the river. J. Hitcher informed the attorney that the Commission would be happy to work with DEEP and WELSCO

to address the mooring issue. He stated it appears to be a shellfish issue not a municipal boundary issue. He suggested that WELSCO discuss with DEEP and ask them to work with East Lyme and Waterford Harbor Master to resolve the mooring issue. It appears that it is not a border issue.

R. Johnson stated that he became aware of a problem when Waterford tagged East Lyme moorings as in violation of Waterford regulations and to go to Waterford Harbor Management Commission.

Terry Lineburger stated that WELSCO is upset with Waterford Harbor Management because their mooring situation is not under control, so Waterford Harbor Management has been heeding their request. Dave Crocker has been tagging moorings to the east of the channel instead of the center of the river to accommodate WELSCO.

R. Kanter disputed that WELSCO pressured Waterford to clean up the mooring issue. It is not clear if Waterford Harbor Management/Harbor Master, understands that the boundary is in the middle of the river and not the channel.

D. Landers suggested a subcommittee to discuss how many moorings are appropriate for the East Lyme side of the river, so it is beneficial to shellfish. The talks should be in conjunction with Waterford.

B. Shellfish Lease Renewal Process

D. Landers will be working with C. Mason on the process after the Londregan lease renewal is finalized.

C. Londregan Lease Renewal (EL3)

C. Mason presented an updated lease. It was suggested that detailing what is allowed should be added to the lease or apply a plan, possibly under, "other conditions". C. Mason will go back and make the changes for next month.

D. Habitat Restoration-no action

E. Shellfish Management Plan

D. Landers informed the members there was more shellfish opportunities out in the bay.

6. NEW BUSINESS

A. D. Landers stated the Niantic River Watershed Committee received a number of grants, specifically for non-source pollutant identification. They are looking for people who live close to the river to do water samples after large rainfalls to monitor fecal coliforms and other non-source point pollutants.

S. Dinsmore was recognized for keeping the commission moving over the last year and a half.

S. Dinsmore will add cooperative mooring plan with Waterford to the next agenda.

7. FINAL COMMENTS:

Terry Lineberger stated there are very specific guidelines for the permitting of leasing of type II aquaculture. She stated it has to be a public hearing before issuing the permit.

8. ADJOURNMENT

MOTION: (Hitchery/Murin) to adjourn at 9:20 PM. Vote: Approved Unanimously

Respectfully Submitted

Sue Spang

Recording Secretary

2021 Meeting Dates, August 16*, September 21, October 19, November 16 and December 21.

*3rd Monday of the month