



TOWN OF EAST LYME
EAST LYME HARBOR MANAGEMENT/SHELLFISH COMMISSION

Chairman
Donald F. Landers Jr.

Treasurer
Stephen Dinsmore

Secretary
Barbara Johnston

REGULAR MEETING
Minutes of Tuesday, April 19, 2011
7:30 p.m., East Lyme Town Hall
108 Pennsylvania Avenue
Niantic, CT 06357

FILED IN EAST LYME TOWN
CLERK'S OFFICE

Apr 25 20 11 at 8:40 AM PM

Esther B. Williams

EAST LYME TOWN CLERK

Present: Chairman Don Landers, Secretary Barbara Johnston, Treasurer Steven Dinsmore, Marvin Schutt, Rick Kanter and William Mountzoures

Also Present: Harbor Master Joe Hitchery, Deputy Harbor Master Marc Berger and John Birmingham, Ex officio

Absent: Greg Murin

1. CALL TO ORDER

Chairman Landers called the meeting to order at 7:30 P.M.

2. APPROVAL OF MINUTES OF REGULAR MEETING OF MARCH 15, 2011

Mr. Landers asked for additions, deletions or corrections to the March 15, 2011 Regular Meeting Minutes.

The following corrections were noted: On page 2, the third paragraph under item C. to be revised as follows: "After 17 months no one has expressed an interest in it." The first complete sentence on page 3 to be revised as follows: "The Harbor Master spoke to the owner of record, and she has no interest in the boat." On page 3 the second sentence of the second paragraph after motion 3 to be deleted. On page 4 under item B the second sentence to be revised as follows: "Ms. Johnston distributed photos of Old Black Point during last Thursday's storm." The second sentence of the second paragraph in item B. to be revised as follows: "She indicated that the Old Black Point Association was not aware of plans for a dock."

MOTION (1): William Mountzoures moved to approve the Minutes of the Regular Meeting of March 15, 2011, as amended. Seconded by Barbara Johnston. (6) Unanimous

3. PUBLIC DELEGATIONS There were no public delegations.

4. REPORTS

A. Warden. Mr. Landers reported the river was closed for shellfishing as of April 17.

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B. Harbor Master. Mr. Hitchery stated it was reported to him that Thomas Faber's boat was hauled and is in Bayview Landing Marina. Over one-half of mooring permit renewal stickers have been distributed for the upcoming boating season.

C. Treasurer. Mr. Dinsmore stated he appeared before the Board of Finance and was informed that since there was no increase to this Commission's budget it was not necessary for him to stay. He also had discussions with Mr. Formica who asked why this Commission's expenditures were below average. Mr. Dinsmore informed him that the majority of the Commission's expenditures occur in the spring/early summer, coinciding with boating and shellfishing. Mr. Dinsmore received a bill from the Recording Secretary for 3.5 hours from March 15 to April 12, 2011. Two invoices were received from WELSCO for Warden labor.

MOTION (2): Mr. Schutt moved to approve the Treasurer's Report. Seconded by Ms. Johnston. Mr. Dinsmore abstained from voting. (5-1-0) Motion carried.

D. Ex-Officio. The ex-officio report was delayed until Mr. Birmingham was able to be present.

5. OLD BUSINESS

A. Harbor Management Plan - Reports from Subcommittees. There were no reports from subcommittees.

6. NEW BUSINESS

A. Correspondence.

1. Tentative determination from DEP to John and Lisa Lazine of 90 Old Black Point Road.

2. COP for Giants Neck Heights Association to repair the breakwater at Giants Neck.

B. Discussion of Dowling Dock Application at 285 Black Point Road. Mr. Landers reported he received an email from Keith Nielsen's Administrative Assistant that he plans to give a report at the next regularly scheduled meeting of this Commission.

MOTION (3): Barbara Johnston moved to add the Dept. of Agriculture Bureau of Aquaculture (DA/BA) Shellfish Memorandum Of Understanding (MOU) Plan under New Business, item C. Seconded by Steven Dinsmore. (6-0) Unanimous.

C. DA/BA Shellfish MOU. Ms. Johnston gave Mr. Landers highlighted suggestions for improving the MOU. Mr. Dinsmore would like the DA/BA to open the rest of the bay since all

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the shoreline residences are sewered.

Mr. Dinsmore stated the National Shellfish Sanitation Program (NSSP) administered by the FDA has water sample bacteria (coliform) criteria that are higher than the State level for ensuring shellfish are safe to eat.

Mr. Birmingham arrived. Mr. Birmingham was asked to give his report.

Mr. Birmingham asked for an update on commercial clamming in the Niantic River. Mr. Landers informed him that a proposal has been submitted to the Waterford/East Lyme Shellfish Commission (WELSCO), which has exclusive jurisdiction for shellfishing matters within the Niantic River (both Waterford and East Lyme). Mr. Birmingham asked if this will involve leasing bottom areas for shellfishing? Mr. Kanter (co-chair of WELSCO) replied it will not. R & B wants to harvest clams in the river. They will dredge for clams mostly in closed areas of the river and as a benefit the towns will receive one-third of all harvested clams to go into recreational areas. The next meeting of WELSCO is Thursday night. Mr. Pat Kelly (co-chair of WELSCO) has asked East Lyme and Waterford town counsels for input. The agreement can be renegotiated annually by WELSCO.

Mr. Birmingham reported that he listened to a program which alluded that the Niantic River is cleaner than it has ever been. Mr. Schutt asked what is their definition of clean? Mr. Kanter stated in some ways the river is cleaner. Mr. Landers added that according to the State the river is impaired because in some areas shellfish cannot be harvested for human consumption.

7. COMMENTS FROM OTHER COMMISSION MEMBERS. There were no further comments from commission members.

8. ADJOURNMENT.

MOTION (4): Bill Montzoures moved to adjourn at 8:35 p.m.
Seconded by Steven Dinsmore.
(6-0) Unanimous.

Respectfully submitted,

Frances Ghersi
Recording Secretary

Deleted: REGULAR MEETING
Minutes of Tuesday, March 15, 2011
7:30 p.m., East Lyme Town Hall
108 Pennsylvania Avenue
Niantic, CT 06357

Present: Chairman Don Landers, Secretary Barbara Johnston, Treasurer Steven Dinsmore, Marvin Schutt, Rick Kanter and William Mountzoures

Also Present: Harbor Master Joe Hitchery, Deputy Harbor Master Marc Berger and John Birmingham, Ex officio

Absent: Greg Murin

1. CALL TO ORDER

Chairman Landers called to order the March 15, 2011, Regular Meeting of the Harbor Management/Shellfish Commission at 7:30 P.M.

2. APPROVAL OF MINUTES OF REGULAR MEETING OF FEBRUARY 15, 2011

Mr. Landers asked for additions, deletions or corrections to the February 15, 2011 Regular Meeting Minutes of the Harbor Management/Shellfish Commission Meeting.

The following corrections were noted: The last two sentences on page 1 to be revised as follows: "Mr. Smith stated if we obtain grants they require that transient slips be available as part of the grant application. There are limited transient slips in this area." The first sentence of the last paragraph on page 2 to be revised as follows: "Mr. Smith informed the Commission we would like to see a picnic area for the marina, public parking, a sitting area, sidewalk and a landscaped area along the roadway." The first sentence of the last paragraph on page 5 to be revised as follows: "Ms. Johnston noted Three Bells and Port Niantic received an award for being a green marina."