



FILED IN EAST LYME TOWN
CLERK'S OFFICE

Aug 25 20 11 at 3:50 PM

TOWN OF EAST LYME
EAST LYME HARBOR MANAGEMENT/SHELLFISH COMMISSION

Barbara Johnston
EAST LYME TOWN CLERK

Chairman
Donald F. Landers Jr.

Treasurer
Stephen Dinsmore

Secretary
Barbara Johnston

East Lyme Harbor Management/Shellfish Commission
Regular Meeting Minutes
August 16, 2011

Present: Don Landers, Chairman; Barbara Johnston, Secretary; Greg Murin, Bill Mountzoures, Marvin Schutt and Steve Dinsmore

Absent: Rick Kanter

Also Present: Joseph Hitchery, Harbor Master; Marc Berger, Deputy Harbor Master and John Birmingham, Ex Officio

1. Call to Order. Chairman Landers called the East Lyme Harbor Management/Shellfish Commission Regular Meeting to order at 7:40 p.m.

2. Approval of Minutes. Mr. Landers asked for additions, deletions or corrections to the Regular Meeting Minutes of July 19, 2011.

The following correction was noted: On page 1, under item 4. B. the fourth sentence of the second paragraph should be rewritten as follows: "Two submerged 4x4 wooden winter-sticks in the Niantic River previously identified as hazardous, were corrected; the owner took care of one and Mr. Theiler removed one."

MOTION (1): Mr. Mountzoures moved to approve the Regular Meeting Minutes of July 19, 2011, as amended. Seconded by Mr. Murin. Messrs. Schutt and Dinsmore abstained from voting. (4-0-2) Motion carried.

3. Public Delegations. There were no public delegations.

MOTION (2): Ms. Johnston moved to add to this evening's Agenda, under New Business 6. D. Pulling of Mooring in The Niantic River. Seconded by Mr. Mountzoures. (6-0) Unanimous.

4. Reports

A. Warden. Mr. Landers reported the river was closed as of 8 a.m. on Saturday morning because of heavy rain. It will remain closed for at least a week.

B. Harbor Master. Mr. Hitchery reported a total of 229 mooring permits have been issued. Response to his letter of August 7 to delinquent mooring permittees has been good, with



only a few individuals not responding. In his letter he states if the permit is not returned with the fee by August 15, the individual's mooring permit will be relinquished. Mr. Hitchery recovered a derelict 10' sailing dingy in the river and requests that Public Works help with disposal. Discussion followed on acquisition of a boat for the Harbor Master. Commission members will explore purchasing a boat and boat-sharing opportunities and partnerships with Waterford/East Lyme Shellfish Commission and Waterford Harbor Management. Further discussion focused on the issue of developing protocols for delinquent mooring permit fees. Commission members will research procedures used in neighboring municipalities (e.g., Stonington, Waterford) with respect to collecting delinquent mooring fees.

C. Treasurer. Mr. Dinsmore reported he received a check from Waterford/East Lyme Shellfish Commission for two bay area permits sold for \$60. He received a bill from Waterford/East Lyme Shellfish Commission 9.75 hours of water sampling in the amount of \$243.75. Waterford/East Lyme Shellfish Commission is requesting an increase in the hourly rate for Warden services from \$22 to \$25/hour; the hourly rate has not been changed in 10 years.

MOTION (3): Mr. Murin moved to authorize Mr. Dinsmore to negotiate a new rate for Warden services up to \$25/hour. Seconded by Mr. Mountzoures. (6-0) Unanimous.

MOTION (4): Mr. Schutt moved to accept the Treasurer's Report as presented. Seconded by Mr. Murin. Mr. Dinsmore abstained from voting. (5-0-1) Motion carried.

D. Ex Officio. Mr. Birmingham reported the Board of Finance will take action on the Darrow Pond land acquisition bonding proposal tomorrow night.

5. Old Business

A. Harbor Management Plan—Report from Subcommittee. There was no discussion on the Harbor Management Plan.

B. Discussion of Dowling Dock Application at 285 Black Point. Mr. Landers has received no communication from Mr. Neilson. He will contact him.

6. New Business

A. Correspondence.

1. August 14, 2011 Notice of Tentative Determination from DEEP on 83 Quarry Dock Road.
2. Certificate of Permission Application to Angela Thompson for seawall maintenance work to be done at 261 Black Point.
3. Letter from Thomas C. J. Gleason, of Entech Development, a summer resident of East Lyme. Mr. Landers will give this letter to the Chairman of Waterford/East Lyme Shellfish Commission.
4. Plans for Bayview Landing. Ms. Johnson reported the Zoning Commission had no issue with the proposal. Zoning asked that 10-15 slips be kept for transient boating.



5. There will be an Open House at the National Marine Fisheries Service Milford Lab on October 15 from 9 a.m. to 1 p.m.

B. Discussion of Niantic River No Wake Zone/Speed Limits. This matter was tabled until the September Meeting. Commission members were asked to review the material from Mr. Hitchery.

C. Discussion of Revised Shellfish MOU. Mr. Landers reported another meeting will be held to fine tune the details of the MOU. All members will be notified of the date, time and place.

D. Pulling of Mooring in the Niantic River. Ms. Johnson referred to an email from Gary Smith dated August 5, 2011 and this Commission's Minutes of June 21. Mr. Landers suggested that the owner of the subject mooring discuss their concern with the Commission at a regularly scheduled meeting. Corrective actions were taken in accordance with the statutes to avoid a hazardous navigation issue and protect the safety of the general public recreating in the Niantic River.

7. Comments from Other Commission Members. Mr. Murin reported that hard clams were transplanted in the river. Mr. Landers added that the seeded areas were closed for a few days to allow the clams adequate time to burrow into the sediment. Discussion followed on a recent newspaper article about high bacteria levels in the upper Niantic River following heavy rainfall events and how the Towns of East Lyme, Waterford and Ledge Light Health District are developing plans to alert at risk users of the upper Niantic River when bacteria counts are high.

8. Adjournment.

MOTION (5): Mr. Schutt moved to adjourn the Regular Meeting of the East Lyme Harbor Management/Shellfish Commission Meeting of August 16, 2011 at 9:20 p.m. Seconded by Mr. Mountzoures. (6-0) Unanimous.

Respectfully submitted,

Frances Gheri, Recording Secretary