



TOWN OF EAST LYME
EAST LYME HARBOR MANAGEMENT/SHELLFISH COMMISSION

Chairman
Steven Dinsmore

Treasurer
Donald F. Landers Jr.

Secretary
Barbara Johnston

East Lyme Harbor Management/Shellfish Commission
Amended Minutes of February 19, 2013

Members Present: Steve Dinsmore, Chairman
Barbara Johnston, Secretary
Marvin Schutt
Rick Kanter
Bill Mountzoures

FILED IN EAST LYME
CONNECTICUT
MAY 30 2013 AT 3:30 AM PM
KAREN GILLER, AR
EAST LYME TOWN CLERK

Also Present: Joe Hitchery, Harbor Master
Marc Berger, Deputy Harbor Master
Kevin Seery, Ex officio

Members Absent: Greg Murin
Don Landers, Excused

Visitor: Pat Kelly, WELSCO Co-Chairman

1. Call to Order. The meeting was called to order at 7:30 p.m. by Chairman Steven Dinsmore.

2. Approval of Minutes of January 15, 2013. The following correction was noted Ms. Johnston indicated she believed she said it was the Blackhawk Dock that was damaged and the pilings were not.

MOTION: Marvin Schutt moved to approve the January 15, 2013 Regular Meeting Minutes, as amended. Seconded by Barbara Johnston. (5-0) Unanimous

MOTION: Mr. Schutt moved to move item 6 to 3 A New Business to allow Pat Kelly to speak before other matters. Seconded by Mr. Mountzoures. (5-0) Unanimous

3. Public Delegation.

A. Discussion of USGA Rain Gauge Payment for 2014. Ms. Johnston presented a listing of 12 concerns she had regarding WELSCO, the rain gauge situation, the contract between East Lyme and Waterford Harbor Management and the lack of communication. Mr. P. Kelly, Chairman of WELSCO, was in attendance. Extensive discussion was had regarding the terms of the contract. Ms. Johnston stated she believed WELSCO should have to pay their share for the rain gauge. It was pointed out that when the contract comes up for renegotiation



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is when this issue should be reviewed. Mr. Kelly pointed out that there was a meeting with members of all three commissions at Ledge Light. A date could not be determined and it was asked if the date could be researched.

MOTION: Ms. Johnston made a motion for the Town Attorney to review the contract since it was not signed by the East Lyme Co-Chairman. Seconded by Bill Mountzoures. In Favor: Ms. Johnston. In Opposition: Steve Dinsmore. Mr. Kanter recused himself. Messrs. Schutt and Mountzoures abstained. (1-1-3) Motion defeated.

MOTION: Ms. Johnston moved that the terms of contract from 2012-2014 renewed January 1, 2013 be renewed for a second year. Seconded by Bill Mountzoures. In Favor: Ms. Johnston. Opposed: Mr. Dinsmore abstained: Messrs. Schutt and Mountzoures. Recused: Mr. Kanter. (1-1-3) Motion defeated.

4. Reports.

A. Shellfish. People are out scalloping. Rick went to the State Shellfish Commission Meeting in New Haven. Each area representative spoke about what is occurring in their area. There was good communication between the various commissions.

B. Harbor Master. There has been a 48% renewal rate of mooring fees.

C. Treasurer. Don Landers was excused (out of Town). Stephen Dinsmore indicated a corrected bill of \$1,750 had been approved for the rain gauge for one year.

D. Ex officio. Town budget is under review. The town was at 81% without power after the blizzard of February 9th.

5. Old Business

A. Harbor Management Plan. Asked for \$15,000 in the Capital Plan for the Harbor Management Plan revision. Town is looking at a UCONN graduate student to act as a consultant in revising the plan. Request was made to have Jeff Steadman give an approximate quote to review and update the regulatory section.

B. No Wake Zone There was no discussion of the no wake zone.

6. New Business

A. Correspondence - None

7. Comments from Other Members - None.



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8. The meeting adjourned at 8:58 p.m.

Respectfully submitted,

Kevin Seery, Ex Officio

- Do problem we meet who?
- ✓ 1. Do I have the backing of the ELHMC/SC members to speak & try to correct the many issues of errors along with billing of the rain gauge? I am asking for an approval.
 - ✓ 2. The ELSC does not have jurisdiction in the Niantic River nor does the Waterford Shellfish Commission. WELSCO has the statutory duties under C.G.S. 26-287. WELSCO is appointed by the respective Boards of Selectmen from East Lyme & Waterford.
 - ✓ 3. Poor public information printed on the scallop permits for the past two years has been issued by WELSCO & handled by the East Lyme & Waterford town clerks collecting the charge. More permits are sold by others.
 - ✓ 4. How does the ELHM/SC get to pay half fee for the USGS Gauge contract since the commission has no control of the shellfish located in the Niantic River? Dec., 2011 thoughts were for talks to be held with other town agencies. What part of contract does WELSCO pay? *1/2 not 1/3* *DABA*
 - ✓ 5. Please explain what is missing for the ELSC to participate in the audit of WELSCO with Waterford "because EL refused years ago to fund an audit"? *No EL or finance approved* *email audit*
 - ✓ 6. Copy of scallop permit states 1/4 bushel per day - CGS states three bushel in any one day? Which amount is in effect? The public, I believe, has been mis-informed. *published in the Day*
 - ✓ 7. How many town agencies use this rain gauge? Ledge Light does not want to participate in payment? Does it use the information to close the river/shellfish areas? *Yes*
 - ✓ 8. WELSCO should pay its fair share, as I understood, it would happen by vote on Dec. 2011 meeting along with other agencies. WELSCO minutes state bill already paid by Jan. 2013 meeting yet this is the second year not first year. My understanding is a vote would be held for renewal of contract of rain gauge.
 - ✓ 9. Was the (rain gauge) Service Contract agreement approved by the respective Town Attorneys? When? Please give date. *web-site maintenance*
 - ✓ 10. USGS Rain Gauge contract not signed by WELSCO -EL Co-Chairman. If ELSC is a partner in costs than I would believe for the contract to be an approved & legal contract it needs signature of both WELSCO chairman signatures? Contract was never presented to ELHM/SC until Jan. 2013 meeting & is start of second year for contract. *Steve Not a Big Deal - Bring to?*
 - ✓ 11. If error in monies paid by the ELSC than how does the amount change without an approval & motion of the ELHM/SC? I would believe a vote/motion would have to be completed first before paid. *Done*
 - ✓ 12. After review of the many minutes of the ELHM/SC & WELSCO there appears to be much information that never made it to the ELHM/SC agenda/meetings yet somehow was agreed to go forward & became part of the procedures for both commissions. How does guest input at a WELSCO meeting become part of ELHM/SC procedure without being on agenda etc?

Please attach to minutes of Feb. 19, 2013
 Questions spoke about by Barbara Johnston, Sec. *BJ*
 member of the ELHM/SC.