



TOWN OF EAST LYME
EAST LYME HARBOR MANAGEMENT/SHELLFISH COMMISSION

Chairman
Donald F. Landers Jr.

Treasurer
Steven Dinsmore

Secretary
Barbara Johnston

FILED IN EAST LYME TOWN
CLERK'S OFFICE

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

Mar 18 20 11 at 8:45 AM
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 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."

MOTION (1): William Mountzoures moved to approve the Minutes of the Regular Meeting of February 15, 2011, as amended. Seconded by Marvin Schutt. Mr. Dinsmore abstained from voting. (4-0-1) Motion carried.

Mr. Landers asked for additions, corrections or deletions to the March 1 Special Meeting Minutes of the Harbor Management/Shellfish Commission Meeting.

The following corrections were noted: On page 1 under Members Present Rick was misspelled. On page 3 the next to the last paragraph to be revised as follows: "Mr. Hitchery said prior to any approval, it should be stated that in the event of storm damage the applicant is responsible to take immediate steps to clear the area." The first sentence of the last paragraph on page 3 to be revised as follows: "Mr. Kanter felt that anyone with experience on the water would understand a dock should not be built at that location."

MOTION (2): William Mountzoures moved to approve the Minutes of the Special Meeting of March 1, 2011, as amended. Seconded by Marvin Schutt. Mr. Dinsmore abstained from voting. (4-0-1) Motion carried.

3. PUBLIC DELEGATIONS

There were no public delegations.

4. REPORTS

A. Warden. There was no report.

B. Harbor Master. Mr. Hitchery reported over one-half of the mooring permit renewals have been sent out. The letter sent to Thomas Faber requesting that he remove his boat from Camp Niantic Shoreline was returned as undeliverable and unable to forward.

Commission member Barbara Johnston arrived.

Mr. Kanter agreed to deliver the letter to Mr. Faber's home.

C. Treasurer. Mr. Dinsmore reported we have received \$2700 for mooring permit fees. The Recording Secretary submitted a bill for 6.75 hours of secretarial work from February 15 to March 2, 2011. Invoices have been received from the Waterford/East Lyme Shellfish Commission (WELSCO).

A Board of Finance Hearing on this Commission's budget will be held on March 23 at 6:30 p.m.

Mr. Landers reported an abandoned boat was hauled to the Town Garage at Roxbury Road in October 2009, because it had fuel on it and had to be removed from the water. After two years no one has expressed an interest in it. The owner has not shown responsibility for it. The Town Garage would like to haul it to the transfer station and have it disposed of. This is a 27' boat with engines.

Mr. Kanter felt if this Commission needs to take possession of someone else's boat, the day after legal possession is given, an ad for its sale should be placed on Craig's List.

Mr. Hitchery stated there is a specific procedure to follow with regard to abandoned boats and this Commission followed the procedures. The DEP, Coast Guard and Public Works did not want to be involved with the recovery and removal of the boat. The Harbor Master spoke to the owner of record. Mr. Kanter felt if it happens in the future, this Commission should have a procedure to follow. Mr. Hitchery suggested that Town Counsel be asked for a general interpretation of the law and a procedure for this Commission to follow.

MOTION (3): Mr. Schutt moved to pay Watermark Marine Services for hauling and disposal of the boat hauled two years ago in the amount of \$600. Seconded by Mr. Dinsmore. Motion withdrawn.

Ms. Johnston and Mr. Dinsmore agreed that this Commission needs to develop a policy on this matter.

Mr. Hitchery stated Watermark Marine Services has never submitted a bill until now. There may be salvage monies.

MOTION (4): Mr. Kanter moved to approve the bill dated March 14, 2011 from Watermark Marine Services, Inc. in the amount of \$350 for hauling the abandoned boat to the Town garage in October 2009. This Commission authorizes the payment of an additional \$250 for the cost of hauling the abandoned boat to the transfer station for disposal; total authorized funding not to exceed \$600. Seconded by Mr. Mountzoures. In Favor: Landers, Dinsmore, Kanter, Schutt, Mountzoures. In Opposition: Johnston. (5-1-0) Motion carried.

Ms. Johnston abstained from voting, because she was not aware the boat was at the Town Garage for two years.

John Birmingham, ex officio, arrived.

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

D. Ex-Officio. Mr. Birmingham reported the Board of Selectmen decided to stay with Ledge Light Health District for one year. Ledge Light Health District has reduced its cost and it will try to have better communication.

Mr. Kanter reported the Waterford/East Lyme Shellfish Commission sent a letter to the Board of Selectmen on February 23, 2011, a copy of which is attached to the Minutes. Mr. Calkins asked WELSCO to remain with Ledge Light Health District.

Mr. Landers did not feel at this time there was enough information to make a change.

5. OLD BUSINESS

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

6. NEW BUSINESS

A. Correspondence.

1. March 3, 2011 letter from DEP to Jack Sanga of 4 Hill Road approving his permit application.

2. March 13, 2011 letter from DEP to Knut Aarsand tentatively approving his application.

3. An emailed draft copy of Department of Agriculture, Bureau of Aquaculture and Laboratory, Management Plan and Memorandum of Understanding and Agreement for the Operation of the Conditionally Approved Areas in the Towns of East Lyme and Waterford. Commission members were given copies and asked to be prepared to discuss it. He recommends a workshop with all three commissions. Mr. Kanter and Mr. Landers will schedule a meeting to review the MOU.

4. An email was received from Pat Kelley, Co-Chairman of WELSCO, informing this Commission that WELSCO is considering a proposal to allow commercial harvesting of shellfish in the Niantic River.

B. Discussion of Dowling Dock Application at 285 Black Point Road. Ms. Johnston distributed photos of Black Point during last Thursday's storm.

She spoke to a neighbor who was not aware of plans for a dock. She indicated that the Black Point Beach Association was not aware of plans for a dock.

MOTION (6): Mr. Dinsmore moved to table discussion of the Dowling Dock Application at 285 Black Point Road until this

Commission hears back from the Consulting Engineer. Seconded by Mr. Schutt. (6-0-0) Unanimous.

7. COMMENTS FROM OTHER COMMISSION MEMBERS.

Mr. Dinsmore requested an update of the Contact List.

Mr. Schutt showed Commission members magnets and stickers advertising the pump out boat. The President of Save the River Save the Hills felt his organization should have been recognized on this material. Mr. Kanter and Mr. Landers stated East Lyme and Waterford Harbor Management Commissions and WELSCO contributed towards this material. Mr. Dinsmore suggested that business cards be ordered stating that the magnets were produced on behalf of Save the River Save the Hills. Mr. Kanter agreed to discuss this matter with Mr. Grimsey. Mr. Hitchery suggested that these items be distributed through the Town Hall and marinas.

Mr. Dinsmore will attend Agri Day at the State Capitol with the Beekeepers Association and report on it at the next regularly scheduled meeting of this Commission.

8. ADJOURNMENT.

MOTION (7): Bill Montzoures moved to adjourn the March 15, 2011 Harbor Management/Shellfish Commission Meeting at 9:00 p.m. Seconded by Steven Dinsmore. (6-0-0) Unanimous.

Respectfully submitted,



Frances Ghersi
Recording Secretary

February 23, 2011

East Lyme Board of Selectmen
East Lyme Town Hall
108 Pennsylvania Avenue
Niantic, CT 06357

Dear Board Members:

The Waterford/East Lyme Shellfish Commission (WELSCO) was asked by our ex-officio, Jack Hogan, to comment on the possible withdrawal of East Lyme from the Ledge Light Health District.

WELSCO is responsible for shellfishing in the Niantic River and as such must work closely with the Sanitarian.

Our primary concerns with regard to a change from our current situation are as follows:

- Since WELSCO covers both the Waterford and East Lyme jurisdictions of the river, it may become problematic if one town stays with Ledge Light and the other does not.
- WELSCO is concerned that a new district with inland towns may not have the expertise in dealing with estuarine issues as does a shoreline town.

Ledge Light has been satisfactory for the most part, but there are areas that can be improved. Communication has been a problem, and better links need to be established to enhance effectiveness.

It is WELSCO's understanding that East Lyme may stay with Ledge Light, may partner with other towns to form a new district, or may return to a town department. It is also our understanding that Ledge Light has offered to reduce prices going forward to be more competitive. While we support lowering costs and increasing efficiencies, it is imperative that fee reductions cannot come at the expense of performance.

Sincerely,

Eric Kanter
Co-chairman
Waterford/East Lyme Shellfish Commission