

Minutes

**Regulations Review Committee
3rd Floor Council Conference Room
City Hall 9 Dale Ave.
Gloucester, MA 01930
January 29, 2013**

Present: Ralph Pino, Tony Gross and Cate Banks

Also Present : Phil Cusumano, Jeff Amero, Suzanne Altenberger

Chairperson Banks opened the meeting at 6:00 P.M.

Item 1: Article IV Section 3 (e) Waiting Lists Notification

The committee had a long discussion regarding the existing language with regard to the period of time a wait list person is allowed between notification of an available mooring space and when said person needs to accept or decline the position.

Following the discussion Chairperson Banks provided proposed changes regarding notification to Section 3 (c), as referred from the Waterways Board at the last meeting.

On a motion by Ralph Pino with a second by Tony Gross it was voted unanimously to recommend to the full board the following changes (in Italics).

Article IV Section 3 C. Application Information A person wishing to have their name placed on a mooring list must either present themselves to the Harbormaster's office to complete the appropriate application or call to have an application faxed. Due to date and time stamp constraints mailed applications cannot be accepted. There is a \$10.00 renewal fee for each year after the initial application.

It is the responsibility of the applicant to keep their contact information [and boat information if otherwise required herein] current each year until a mooring space becomes available.

While there is no requirement for a wait list applicant to own a vessel, it is required that when the applicant reaches position number five (# 5) a vessel length must be declared. Declaration of vessel length is important because this will be used to determine the applicant's eligibility for the space that has just become available. Wait list applicants in the top five (5) spots on a waiting list must notify the Harbormaster of their preferred method of being contacted in the event a space becomes available. Timely response when notified is required pursuant to Article IV Sec. 3 (e).

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Further, on a motion by Tony Gross with a second by Cate Banks it was voted unanimously to recommend to the full board that the following language, the first two sentences of **Article IV Section 3 E** as presented to the Board at the January 2013 meeting, be approved after the board votes for an appropriate number of days to insert in the second sentence. Italicized words reflect proposed change

Article IV Section 3. E. Notification When a space becomes available the first person on the wait list for that area will be notified by the Harbormaster via certified mail [and telephone and e-mail notice, if available]. Said person shall have ~~forty five (45)~~ _____ days to respond to the Harbormaster to determine if their vessel is suitable for the available space.

Motion passed.

Item 2: Article IV Section 5 Mooring Installations and Maintenance Standards

After a long discussion about minimum safe standards for ground tackle the committee agreed to table this item. This section of the regulations is to be brought back for review when a spreadsheet listing the current ground tackle in use for all Gloucester mooring fields is made available by the Harbormaster as well as the recommendations from CLE Engineering, the company doing the mooring re-grid plan for the Inner Harbor.

Item 3: Article IV Section 11 Designated Anchorage Areas subsection E

Chairperson Banks reported that she had not followed up on the email inquiry that had been sent to the City's legal counsel, Suzanne Egan, with regard to this section. It was agreed to table this item until there is a response from Attorney Egan.

Item 4: Article VII City Owned Commercial Marinas

Tony Gross reported on the process for Commercial fishermen, who are tenants at the City owned Commercial Marinas, to include the City of Gloucester as named insured on their vessel insurance.

Chairperson Banks presented proposed language, based on a previous motion voted unanimously by the full Board at the September 5, 2012 meeting, to be included in **Section 3 B** of the regulations of Commercial Marinas.

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On a motion of Tony Gross with a second by Ralph Pino the committee voted unanimously to amend **Article VII Section 3 B** to read as follows (new language in Italics)

B. Tenancy at City Owned Commercial Marinas is limited to vessels that are actively engaged in commercial fishing. The tenant must provide proof of the following: 1. Valid insurance with City as named insured. 2. Commercial fishing permit/license. 3 Vessel is fully rigged for permitted fishery and meets all applicable requirements of vessel's permit. 4. Previous year's tax schedule documenting commercial fishing income. If a vessel is not actively engaged in commercial fishing for 12 months the lessee must come before the Waterways Board for review.

On a motion of Tony Gross with a second by Ralph Pino the committee voted unanimously to amend **Article VII Section 3 D** by inserting the word "annual". The subsection is to read as follows;

D. Tenants shall provide annual proof of insurance as required on the current lease agreement.

The committee agreed to ask the Harbormaster's office to provide a copy of the current lease for tenants at the City owned Commercial Marinas to Board members at the next meeting.

Ralph Pino asked that we have the Harbormaster explain the process of who needs to approve these regulations once the Board has voted them approved.

The being no other business the meeting adjourned at 7:51 P.M.

Respectfully submitted,

Cate Banks