

MINUTES

Waterways Board
3rd Floor Conference Room
Gloucester, MA 01930
July 1, 2014

Present: Ralph Pino, Anthony Gross, Dave McCauley, Vito Calomo, Patti Page, Jim Bordinaro, Mark Lacey, Bob Gillis, Karen Tibbetts

Also Present: Cate Banks, Ad Hoc Member of Regulations Review Subcommittee, Patrick Lowe

Chairman Pino opened the meeting at 6 p.m.

Approval of Minutes: On a motion of Ralph Pino, second by Dave McCauley the Board voted unanimously to accept the minutes of the June 3, 2014 meeting with the following corrections:

Page 1, Present: delete Cate Banks and David McCauley, add Karen Tibbetts
Page 1, Also Present: add Cate Banks Ad Hoc Member of Regulations Review Subcommittee

Motion passed

Status of Eco Moorings: Jim Caulkett reported that 29 people have signed up for these and 11 have been installed. The Auditor's Office is working with us on issuing checks; it's going along smoothly. Site inspections will take place next week with Roseanne Joyce, 2 people from the Fisheries and three people from MassPort.

Harbor Plan Update: Patti Page reported the discussions were on the marine industrial area, percentage for water dependent industrial use, DPA jurisdiction is now State jurisdiction, and they come up with the DPA is 49 acres in area; 79% will be water dependent industrial use. She requested to table all the calculations because they have not summarized them other than the text portion of the report. After the Harbor Plan Committee's next meeting on July 9th the plan will go to the State and CZM has up to 6 months to come back with an answer. Discussion followed.

Transient Mooring Update: Jim reported that 6 out of 13 businesses have responded to his letter. He will contact them.

New Moorings and Unassigned Moorings Update: On Public Facilities report

Harbormaster Report: Jim reported he will supply information on the issuing and deleting of moorings to the Public Facilities Committee. He will also provide a financial report to the Board as soon as the figures are ready. Jim clarified his authority on the issuing of Mud Flat moorings, Waterways Regulations, Article IV Mooring Regulations, Section 9.F. These are issued on a case by case basis and with Shellfish/Conservation Commission applying more restrictions in dealing with mud flats and the environment. Jim will be providing DEP a written response as to the circumstances leading up to the revocation of William Nardone's mooring. Discussion followed on illegal moorings anchored the Annisquam River. Jim has contacted several owners of boats illegally anchored there. He also noted that the Mooring Regulations state there is no anchoring in mooring areas. Chairman Pino referred this to Regulations Review and requested Jim to pursue mud moorings. Vito Calomo stated mud flat moorings were originally issued for the fishermen; this should be kept in mind. Jim spoke of Cate Banks volunteering to organize the e-mail responses and one of the launch operators will input the information into the computer. Cate is also working on putting all the approved minutes on line. She informed the Board that she has updated two pages in the Rules & Regulations. Jim has started a more intense patrol schedule on the Annisquam River. Comments continued on this. Jim has provided logistical support to Environmental Engineer Larry Durkin, Gloucester Waste Treatment Plant and Black Dog Divers in making repairs to the sewer outfall off Stage Head in Gloucester Harbor. Jim informed the Board the situation with Mr. Bevin's vessel at Heron Way Marina and his lack of cooperation in moving the vessel out of the channel. When questioned why Mr. Bevin is not being fined Jim stated he was informed by Suzanne Egan, Legal Department, he could fine Heron Way Marina \$100.00 per day and not Mr. Bevin. Jim reported he heard from the DEP on the 10 piling replacement for property owners in the DPA and since this program has been so successful the number of pilings may increase to 50.

Chairman Pino abstained from meeting - Co-Chair Anthony Gross chairs meeting.

Jim Caulkett spoke of John Herrick's mooring #0452. For the record, I served with John Herrick, Sr. in the Coast Guard at Dolliver Neck from 1970 to 1962. His mother Carol is a longtime friend of my wife and they kayak every Saturday morning on the Annisquam River. These relationships have no bearing on my decision in not revoking his mooring. Unbeknownst to everyone that knew John Jr. he was an alcoholic and it was not until he nearly died that this condition was known. Due to my personal dealings with this type of addiction, I recognized the period of time the moorings were not being used as required by the regulations was a result of his addiction issues and having recognized his commitment to being sober I decided to support his efforts and give him the opportunity to abide by the regulations. I also recognize that if he does not use the moorings properly in the future I will be obligated to act accordingly and pursue revocation of the permit and use. During discussion it was stated by Jim Bordinaro that a representative of Wheeler's Point Yacht Club approached the Board to report miss use of moorings; several others have also come forward with this problem. It was also noted that John has two other moorings that he uses. A lengthy discussion followed. Patrick Lowe, 6 Cedar Lane, Gloucester stated that if John Herrick is adhering to the regulations, then he should keep the mooring.

>**Motion:** On a motion of David McCauley, second by Bob Gillis a letter should be sent to Wheelers Point Yacht Club explaining to people on Wheelers Point why, in this case, this situation cannot be rectified. **Motion withdrawn**

>**Motion:** On a motion of Patti Page, second by Dave McCauley that the Board ask the Harbormaster to approach John Herrick and ask if John will give the mooring up.

Motion withdrawn

Chairman Pino chairs the meeting.

Subcommittee Reports:

Public Facilities: Mark Lacey reported the committee's meeting on May 27th; there was no action taken on the drop off and pickup location for the shuttle and charters; Kris Young will be attending the next meeting regarding his mooring in Jones Creek; and nothing was passed on William Nardone's mooring being revoked.

>**Motion:** On a motion of Mark Lacey, second by Bob Gillis the Board voted unanimously to support the Harbormaster's decision to revoke William Nardone's mooring. **Motion passed**

The fish Pier on the boulevard was discussed with a suggestion of using space in Smith Cove; No action taken.

Mark reported on the June 24th meeting: the Wait List was discussed and a report from the Harbormaster was received showing the number of moorings deleted for 2014 and the number reissued; the locating of 4 moorings in the Inner Harbor; the compliance letters sent to Transient Mooring holders.

>**Motion:** On a motion of Mark Lacey, second by Dave McCauley the Board voted unanimously to support the committee's recommendation that all Transient Mooring holders who have not submitted a letter come before the Public Facilities Board to explain why not. **Motion passed**

>**Motion:** On a motion of Mark Lacey, second by Anthony Gross the Board voted unanimously that all Transient Mooring holders supply an e-mail address to the Harbormaster.

Motion passed

Patti Page is requesting space for the Community Boating in the National Grid building; i.e. toilets, showers, storage.

Operations& Finance/Safety: No meeting; July 17th next meeting. Discussed will be the BIG grant time line, CH91 and retained earnings. Chairman Pino requested that Jim contact Ken Lento at National Grid to inquire about all the expenses they are currently carrying on the building. Two items Chairman Pino wants on the next agenda; a projection of the entire building, what the cost will be; i.e.: maintenance, repairs and a comparative of our figures.

Regulations Review: No report

Continuing and Unanticipated Business: Chairman Pino stated the operational cost will be with the Board for the next meeting and Sarah Garcia will be in attendance at this meeting. Patti Page was on a site visit at Lanes Cove and she is interested in knowing what this landing should be used for.

There being no other business the meeting adjourned at 8:15 p.m.

Respectfully submitted,

Shirley M. Edmonds