



Harbor Management Commission

www.essexct.gov

Regular Meeting Minutes
Thursday, April 28, 2022, 7:00 P.M.
Town Hall Meeting Room A & Zoom

1. Call to Order

Chairman Terry Stewart called the regularly scheduled meeting of the Essex Harbor Management Commission to order at 7:00 p.m.

2. Attendance

Brian Weinstein was seated for John Senning and unseated when John arrived shortly thereafter.

Members Present: Jeff Going, Bill Herlihy, Susan Malan, John Senning, Terry Stewart, Brian Weinstein

Absent: Kit Schellens

Others Present: Doug Dominie, Safe Harbor, Cy Libby, Safe Harbor (Remote), Paul Riggio, Harbor Master

3. Approval of the March 2022 Meeting Minutes

The March 24, 2022 Regular Meeting Minutes were reviewed.

MOTION made by Jeff Going to approve the March 24, 2022 Regular meeting minutes.

SECONDED: Susan Malan, **Voting in Favor:** Jeff Going, Susan Malan, John Senning, Brian Weinstein; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0. **Discussion:** No further discussion.

4. Public comment: None.

5. Financial Report

Bill Herlihy provided the financial report for the Liberty Checking, Public Access, and General bank accounts, with a total funds closing balance as of April 28, 2022 of \$47,484.03. The commercial mooring renewal fees were itemized by Bill in the report. He noted that the report he provided had a stray number from last month's report which didn't affect the report. He will amend the report and reissue. The financial report will be approved when the amended report is received and approved by the members.

Bill presented the invoice from Lighthouse Signs in the amount of \$330.00 for the two new signs at Bushnell Access and the invoice for HMC administrative support in the amount of \$582.11.

MOTION made by Jeff Going to approve the invoice from Lighthouse Signs for the Bushnell Access signs and the invoice for clerk services in the amount of \$582.11. **SECONDED:** John Senning; **Voting in Favor:** Jeff Going, Susan Malan, John Senning, Brian Weinstein; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0. **Discussion:** Terry noted that the invoice for clerk services is high due to the small vessel wait list and permit renewal process in March.

6. Harbor Master Report

Paul Riggio provided the following report.

No new mooring permit wait list applications have been submitted.

We are waiting for CT Registrations from Linda Grossman and Chris Morano and CT Registration and Certificate of Insurance from Tyler Cardinal, whose applications were approved in the Fall pending receipt of the documents in the Spring. Emails have been sent to all as a reminder.

Paul explained that approval was given to people without the requisite documentation at renewal time because their boat was not in the water for the 2021 season or they were purchasing a new boat so as not to incur the cost of paying DMV twice.

William Scharfenstein requested a sabbatical on April 21, 2022 because he wasn't planning to use his mooring this season. The request was denied as sabbaticals must be requested at the time of renewal and not after the harbor has been mostly set up. He will remain on the mooring list for this season but if he doesn't use it will lose it for next year.

Two small vessel permit wait list applicants since the last meeting:

- 4/7/22: Evelyn Gezo, Tom Gezo

Paul reported that Cy Libby has given his notice and will be leaving his position at Safe Harbor on Friday or maybe a little later. Joel Tower, who has been working with Cy for a couple of years, will be taking his place. Paul is confident that Joel will be able to keep things moving forward and provide what the Town needs.

Paul thanked Cy and he was recognized by the Commission for all his years of service and help given to the Commission.

Paul and Doug Domenie have talked about inspections in the future. Paul will take responsibility for the mooring inspections and will need to find a location to do them. He is considering doing them in the fall instead of the spring.

Paul and Dave Fasulo have done a mooring layout for the Meadows. It is in Cy's hands and he will have them set before he leaves.

The request for a zone change for the boat house at the Foot of Main did not pass Zoning.

The setting of the North Cove channel markers was discussed. It was decided that we don't need to speak to DEEP about this as these markers have been set for years. It was noted that an EHMC member should be on board when Safe Harbor does this as they are acting at the Commission's direction.

There was a tree stump lodged in front of the Connecticut River Museum close to the Town dock last week that needed removal. Cy Libby was able to take care of it, but it raised the question as to whether some type of authorization policy is needed in the event Paul needs to take care of something right away that has a cost associated with it. Terry suggested that an email could be sent to members for approval if it was something that couldn't wait until the next meeting.

Harbor Management Business

- **Thatchbed Envirotube Project & Dredging Update**

Jeff reported that the COP for rock remediation is stuck with the Army Corps of Engineers who is doing a review and has been hard to communicate with. The General Permit for Connecticut was renewed on December 29, 2021 after a four-month period without it. Funding is in place for this and we are ready to proceed as soon as we get an okay from Corps.

On the plan to use Envirotubes and dredging material to restore lost habitat and wetlands, DEEP asked us to withdraw our COP application and resubmit under the Structures, Dredge, Fill and Wetlands permit application. This is more extensive than the COP and costs more. DEEP expressed their support and favorable reaction to the proposal. The SDF application is under way and has gone to Corps for Pre-Application review. Jeff estimates that work around Thatchbed will begin in 2023.

Land created through this use of dredge material would become owned by the State of Connecticut.

- **Hydrilla Working Group Follow Up**

Terry Stewart attended the Invasive Species presentation on April 4th that included a discussion on hydrilla. He said it was a fascinating session and that the only way to get rid of hydrilla is with chemicals. Senator Blumenthal's office has been contacted twice to seek federal funding for the treatment and we are waiting to hear back.

8. Town Public Access Points

Terry talked to the Connecticut River Museum about the tourist buses at the Foot of Main. They were very sensitive to the issue and assured us that the problem will be corrected.

Two new signs have been installed at Bushnell Access. Hats off to Mayor of Bushnell Bob Ward for his work on this.

9. Harbor Management Plan Update

- **Possible vote to approve forwarding the working draft to DEEP and ACE**

Prior to the meeting, Members were provided with the latest working draft of the Harbor Management Plan reflecting the edits from the last workshop. Terry wanted to be sure that everyone is confident with this final draft before sending to DEEP and ACE. Hats off to John Guskowski for all of his work on the update.

MOTION made by Jeff Going to approve forwarding the working draft of the Harbor Management Plan to DEEP and ACE. **SECONDED:** John Senning; **Voting in Favor:** Jeff Going, Susan Malan, John Senning, Brian Weinstein; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0. **Discussion:** Terry asked if a seaplane is a vessel. Currently a seaplane is excluded under the definition of vessels. It was decided that a seaplane should be included under the definition of vessels and Terry will make that change.

- **Discussion on Potential Commission By-Laws**

Terry noted that other Harbor Management Plans have by-laws as an attachment. This Commission has never had a formal set and he was initially thinking that maybe we should have some. He had provided everyone with the Planning & Zoning Commission by-laws prior to the meeting as a starting point for discussion but is now thinking by-laws might not be necessary. After discussion, it was decided that by-laws are not needed at this time but it would be useful to look at what others have that might change our thinking on that.

There was further discussion about an authorization policy for Paul to take action immediately if needed and also what the figure is that determines when a request for bid is required. More research will be done on this and it will be a future agenda item. John Senning suggested we have a policy statement reflected in the minutes to confirm what we have talked about once the guidelines are established.

10. Correspondence: Terry shared a notice about a new Small Harbor Improvement Project Program (SHIPP) grant. Jeff said the Ad Hoc committee will be looking at it for possible funding.

11. New Business

Paul noticed what looked like new pilings and docks at 17 Mack Lane in Essex owned by Mr. Heiner, 601 Old Ballard Road, Charlottesville, VA 22901. Terry reached out to DEEP only to find out that there is no current permit for any new work to be performed on their docks. The last permit was a COP issued on October 22, 2002 (20 years ago). This concern is now in the hands of the DEEP enforcement division.

Jeff noted that floats are still sitting in the marina at the Town Park. Cy Libby will address.

12. Adjournment

MOTION made by Jeff Going to adjourn the meeting at 7:56 p.m. **SECONDED:** John Senning; **Voting in Favor:** Jeff Going, Susan Malan, John Senning, Brian Weinstein; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0. **Discussion:** No further discussion.

Respectfully submitted,

Betsy McLaughlin
Recording Clerk