



Harbor Management Commission

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Regular Meeting Minutes
Thursday, September 22, 2022, 7:00 P.M.
Town Hall Meeting Room B & 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

Members Present: Jeff Going, Kit Schellens (Remote), John Senning, Terry Stewart, Brian Weinstein

Absent: Dave Fasulo, Deputy Harbor Master, Bill Herlihy, Susan Malan

Others Present: Tim Biesel, Ivoryton resident, Doug Domenie, Safe Harbor (Remote), Henry Domenie, Safe Harbor, Paul Riggio, Harbor Master, Rachel Smith, Safe Harbor

Brian Weinstein was seated for John Senning. Brian Weinstein was re-seated for Susan Malan upon John Senning's arrival at 7:04 p.m.

3. Approval of the August 2022 Meeting Minutes

The August 25, 2022 Regular Meeting Minutes were reviewed.

MOTION made by Jeff Going to approve the August 25, 2022 Regular meeting minutes.

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

4. Public comment: None.

5. Financial Report

Terry Stewart reviewed the August financial report presented at the last meeting which was not voted on due to a lack of quorum. He also presented the September financial report for the Liberty Checking, Public Access, and General bank accounts, with a total funds closing balance as of September 22, 2022 of \$41,609.59.

MOTION made by Jeff Going to approve the August and September 2022 financial reports as presented. **SECONDED:** Brian Weinstein. **Voting in Favor:** Jeff Going, Kit Schellens, John Senning, Brian Weinstein; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0. **Discussion:** No further discussion.

Terry presented an invoice for HMC administrative support in the amount of \$204.60.

MOTION made by Jeff Going to approve the invoice for HMC administrative support. **SECONDED:** Brian Weinstein; **Voting in Favor:** Jeff Going, Kit Schellens, John Senning, Brian Weinstein; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0. **Discussion:** No further discussion.

6. Harbor Master Report

Paul Riggio reported that they have still been working out the bugs in this year's harbor and mooring layout. The new team has learned a lot and Paul believes next year will be a much better year.

Paul received a call late in the day a few weeks ago that one of the boats in the harbor was sailing about its mooring in a very strange way. At about 6:00 p.m., he determined that the mooring was wrapped and would not survive the night without breaking loose. Paul placed a call to Henry Domenie for his help. Within 20 minutes Henry drove back to the boat yard. Paul and Henry took the work boat and moved the boat in question onto another mooring. Henry was thanked for his help and the support from Safe Harbor is very much appreciated.

Paul also reported an incident involving a foil board sailing in the harbor. Paul informed the individual that sailing this type of vessel is not permitted under the Harbor Management Plan (the old existing one). The person appealed to DEEP who informed Paul that the section of our plan pertaining to that was disapproved in the 90's. Rick Harrison was Chair at the time. The Commission had no knowledge of this. Paul is reaching out to as many people as he can for a resolution and thinks more research and conversation with DEEP is needed. There was lengthy discussion about types of vessels allowed, safety concerns, speed limits and enforcement, and Jeff stressed the need to distinguish between the harbor and the mooring fields.

Terry Stewart intervened at this point with an update on the Harbor Management Plan as this discussion highlights another area for the harbor management plan in terms of what our policy is relative to these types of vessels. Marcy Balint from DEEP's Land and Water Resources Division has been assigned to review our plan. Terry had a long conversation with Marcy on September 21st. She is making a number of recommendations which Terry will share with everyone when he receives them in writing. They include making the definitions and objectives stronger and the maps more accurate. In general, the plan needs to be more specific. Any changes we make need to go to a Town meeting and approved as an ordinance. Marcy will serve as the central coordinator for all approvals needed. There has been no word back from the Army Corps.

It was determined that no immediate action is needed on the foil board issue and the next step will be to schedule another working session to review the recommendations on the harbor management plan update and incorporate the foil board discussion into that session.

Harbor Master Report continued

New since last meeting:

Mooring Permit Wait List

Christopher Ford, Mack Lane, 9.3.22

Bushnell Access Wait List

8/31/22	Ken McGovern
9/4/22:	Vanessa Quagan
9/12/22	Sally McGovern
9/14/22	Nancy Bentivegna
9/14/22	Gus Bentivegna

Mooring renewal season begins on October 1st. Mooring Permit holders and those on sabbatical will receive an email renewal notice via OnLine Mooring.

Recall Mr. Scharfenstein requested a sabbatical on April 21, 2022 which was denied. We need to know if he used the mooring this year. If not, he will not be eligible to renew his permit.

7. Harbor Management Business

The RFP for annual servicing of navigational aids and dock floats went out on September 1st. It was mailed to H.S. Plant Environmental Company, Safe Harbor Dauntless Shipyard & Marina, Connecticut River Dock & Dredge, Inc., and Riverport Construction LLC. It was also posted on the State RFP portal and the Harbor website. Requests were subsequently received from NovaTech and PWXPress and the RFP was emailed to both of them. The response deadline was today at 4:00 p.m.

Responses have been received from H.S. Plaut Environmental Company DBA in the bid total of \$5,600.00 and Safe Harbor Dauntless Shipyard in the bid total of amount of \$6,125.00.

The responses were reviewed and discussed. It was noted that the bid from H.S. Plant specifies the property will be stored at 310 Breen Avenue, Old Lyme, whereas the RFP specifies that the property be stored in Essex.

MOTION made by Jeff Going to approve the bid from Safe Harbor. **SECONDED:** Brian Weinstein; **Voting in Favor:** Jeff Going, John Senning, Terry Stewart, Brian Weinstein; **Opposed:** None; **Abstaining:** Kit Schellens, **Approved:** 4/0/1 **Discussion:** No further discussion.

Safe Harbor was awarded the contract and the Commission looks forward to working with their new team.

Doug Domenie noted that in the past the very northern harbor marker has been placed further north than the charts or coordinates might show and he suggests that this continue to be done as the people who set the 5 mile per hour marker use that as a guide. Jeff noted that it can't go north of 28.

Jeff reported that the rock removal project is moving forward. He is working with Connecticut River Dock and Dredge to schedule the work to begin. Connecticut River Dock & Dredge had asked DEEP to come down to review situation due to the concern about bottoming out. DEEP said that legally they can't write anything into the COP saying it is okay to bottom out but that they consider Connecticut River Dock & Dredge to be responsible and would report it to DEEP if that occurs. They are currently working on another project and the next opportunity for the work to take place will be October 16/17/18. Jeff noted that only the northern rock pile is being removed.

There is no update on the dredge sampling proposal. Jeff expects to hear back from CORP on the sampling proposal in November/December. Money has been set aside for this.

Tim Biesel expressed an interest in having the soil testing results from Thatchbed as he lives in Ivoryton and has soil tests from the 1880's. Jeff noted that we have not been successful in getting answers to our requests for information in the past from the person who has done this work and provided a summary of some of the testing that has been done in the past. It was noted for the record that Jeff leads the Thatchbed Island Ad Hoc Committee charged by the Board of Selectman and that his updates on this are for our information only.

8. Town Public Access Points

Little Point has been mowed but the weeds up and around the bench need to be addressed. Ryan Welch in the Town's Public Works Department will be notified.

Regarding the Mack Lane dock, the Commission agreed there should only be one boat on that dock on the north side. The discussion centered on the concern that the boat that is currently there keeps its outboard in the up position out of the water, making the effective length of the boat longer than its allowed length. The engine also extends into the channel. As a next step, the owner will be warned against having the engine extend beyond the dock. If the owner does not comply, this permit will be revoked.

9. Harbor Management Plan Update

See update above.

10. Correspondence: None.

11. New Business

The proposed key dates for the 2022-2023 Season were reviewed. No questions or discussion on this.

12. Adjournment

MOTION made by Jeff Going to adjourn the meeting at 7:51 p.m. **SECONDED:** Brian Weinstein; **Voting in Favor:** Jeff Going, Kit Schellens, John Senning, Brian Weinstein; **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0. **Discussion:** No further discussion.

Respectfully submitted,

Betsy McLaughlin
Recording Clerk