



Harbor Management Commission

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Regular Meeting Minutes
Thursday, January 27, 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 7:02 p.m.

2. Attendance

Members Present: Jeff Going, Bill Herlihy, Terry Stewart, Susan Malan (Remote)

Absent Members: Kit Schellens, John Senning, Brian Weinstein

Others Present: Dave Fasulo, Deputy Harbor Master, Paul Riggio, Harbor Master, Cy Libby, Safe Harbor, Doug Dominie, Safe Harbor

Bill Herlihy was seated for John Senning.

3. Election of Officers

The Commission chooses leaders for the coming year each January. The positions are Chair, Vice Chair, and Treasurer. Terry Stewart opened the floor for nominations.

Susan Malan nominated Terry Stewart for Chair and Bill Herlihy as Vice Chair and **also** Treasurer.

MOTION made by Jeff Going to close the floor for nominations and to approve the nominations of Terry Stewart as Chair and Bill Herlihy as Vice Chair and Treasurer. **SECONDED:** Bill Herlihy; **Voting in Favor:** Jeff Going, Bill Herlihy, Susan Malan, **Opposed:** None; **Abstaining:** None; **Approved:** 3/0/0. **Discussion:** No further discussion.

4. Approval of the December 2021 Meeting Minutes

The December 16, 2021 Regular Meeting Minutes were reviewed.

MOTION made by Jeff Going to approve the December 16, 2021 Regular meeting minutes. **SECONDED:** Bill Herlihy; **Voting in Favor:** Jeff Going, Bill Herlihy, Susan Malan; **Opposed:** None; **Abstaining:** None; **Approved:** 3/0/0. **Discussion:** No further discussion.

5. Public comment

Cy Libby asked if we had received the quote for maintenance of the yellow harbor marks. It was received and will be discussed as part of the Harbor Master Report.

6. 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 December 31, 2021 of \$38,956.15.

MOTION made by Jeff Going to approve the Treasurer's report for December 2021. **SECONDED:** Terry Stewart; **Voting in Favor:** Jeff Going, Susan Malan, Terry Stewart; **Opposed:** None; **Abstaining:** Bill Herlihy; **Approved:** 3/0/1. **Discussion:** No further discussion.

The invoice for HMC administrative support in the amount of \$291.05 dated January 19, 2022 was reviewed.

MOTION made by Jeff Going to approve the invoice for clerk services dated January 19, 2022 in the amount of \$291.05. **SECONDED:** Bill Herlihy, **Voting in Favor:** Jeff Going, Bill Herlihy, Susan Malan; **Opposed:** None; **Abstaining:** None; **Approved:** 3/0/0. **Discussion:** No further discussion.

7. Harbor Master Report

Paul Riggio provided the following Harbor Master Report.

Correction to December 2021 Harbor Report:

Wait List Applicants offered mooring permits: Change to "2 did not submit and will be removed from the wait list: Peter Martin and Elizabeth (Terry) Parkinson" as opposed to "3 did not submit and will be removed from the wait list: Peter Martin, Andrew Mock, Elizabeth (Terry) Parkinson."

Commercial Renewal Period: 1.1.22 – 1.15.22

- Received: CT River Museum, Dauntless, Essex Boat Club, Essex Boat Works, Essex Corinthian and Pettipaug
- Not Received: Safe Harbor, Essex Yacht Club & Frostbite

Wait List Renewal period: 1.1.22 – 1.15.22

It was decided not to offer any other wait list applicants a mooring as discussed at the last meeting so as to allow adequate spacing in the Harbor.

- 27 wait list applicants
- 26 renewed, one did not (Sharon Marie)

New since last meeting.

- Bushnell Access Wait List, John Spratt, 1.1.22

New since the above report was prepared.

- The commercial renewal checks have been received from Safe Harbor, Essex Yacht Club and Frostbite. The renewal paperwork has not been received from Frostbite. Bill Herlihy will follow up with them. The Certificate of Liability Insurance has been received from Safe Harbor but not the renewal paperwork. Cy Libby will follow up on this.
- Mooring Permit Wait List, Louis Spann, Jr., Main, 1.23.22

The quote provided by Safe Harbor Dauntless in the amount of \$1,566.51 plus tax for maintenance of the yellow harbor marks was reviewed and Paul Riggio asked for comments. The scope of work was discussed and a suggestion was made to add more weight on the bottom of the float to keep it upright. Paul Riggio requested that the HMC approve the quote.

MOTION made by Susan Malan to approve the quote presented by Paul Riggio for maintenance of the yellow harbor marks. **SECONDED:** Bill Herlihy, **Voting in Favor:** Jeff Going, Bill Herlihy, Susan Malan; **Opposed:** None; **Abstaining:** None; **Approved:** 3/0/0. **Discussion:** No further discussion.

MOTION made by Susan Malan to amend the motion to include adding a 20 pound or appropriate weight on the bottom of the float so it sits correctly on the water. **SECONDED:** Jeff Going, **Voting in Favor:** Jeff Going, Bill Herlihy, Susan Malan; **Opposed:** None; **Abstaining:** None; **Approved:** 3/0/0. **Discussion:** No further discussion.

Paul Riggio also noted that the statement made at the December meeting that Safe Harbor was wrong in not having an HMC member on the barge during the removal of the harbor marks was incorrect. A correction to that statement was reflected in the December minutes. The intent of the requirement to have an HMC member present is to be present for the setting of the channel marks in North, South, and Middle Cove, and not the harbor marks in the Main Harbor.

8. Harbor Management Business

- **Follow Up on Rock Pile Remediation & Dredging Funding**

The COP application for dredging material disposal using Envirotubes and contained back fill was filed with DEEP in early December. DEEP has 90 days to respond. Nothing has come back so far so no action as of yet.

The Ad Hoc Committee is trying to nail down funding sources for the rock pile relocation, currently estimated around \$26K. The Army Corps has yet to respond. The Committee is also not sure if the General Permit for the project has been renewed. The Rock Pile project is among others waiting on the Corps.

The Committee is looking at different funding sources with a possible candidate being a grant from the National Fish and Wildlife Foundation (NFWF). The grant application will need endorsement letters to include one from the HMC. If the Ad Hoc Committee is still pursuing a NFWF grant, a draft endorsement letter will be presented for our approval. Terry Stewart will provide everyone with a draft of that letter for review.

Another funding source is the Harbor Management Sinking Fund, which has a current balance of \$52K. While the Ad Hoc Committee is under the Board of Selectman and tapping sinking funds is controlled by the Board of Finance, the Board of Selectmen has asked for our input about using the Harbor Management Sinking Fund. Terry noted that the sinking fund has been used in the past for capital projects and most recently for the renovation of the Town dock and for dredging. This was discussed and members were in agreement that they are not in favor of using the Sinking Fund for this purpose. Terry Stewart will make a statement to the Board of Selectmen that the Harbor Management Commission opposes using the Sinking fund for rock pile removal. .

- **Hydrilla Working Group Update**

Recall State Representative Palm created a Hydrilla Working Group. Dave Fasulo has agreed to be our liaison with the group. This will remain on the agenda as a place holder for any updates when they occur. There has not been a meeting yet as far as we know.

9. Town Public Access Points

Susan Malan reported that all of the racks at Bushnell Access are empty and the dinghy is no longer at Novelty Lane.

10. Harbor Management Plan Update

Terry Stewart had provided everyone with a copy of the working draft of the update. We are 75% through the plan edits and should be able to come together on a final draft at the next meeting. The result will be an up to date and strengthened plan that will better support the denial of a dock application if that is needed. The suggested dates for the next meeting, which will be by ZOOM, are February 3rd or 10th. Terry will let everyone know when the meeting will take place.

Susan Malan noted that the Town of Old Lyme is also in the process of updating their plan and we may be able to pay attention to what they are doing and learn from each other. Susan provided Terry with contact information and he will follow up with them.

11. Correspondence.

Jeff Going was contacted by Farrah Ashe, DEEP Environmental Analyst, concerning the Essex Island Marina application. We were able to obtain the Planning and Zoning meeting minutes for May and June from Carey Duques, Zoning Enforcement Official, which identify that the variance from 1968 was still applicable and that the transient slip would not be counted for parking. Now that that part is all set, she seemed to think everything would go through okay.

12. New Business

- **Transient Visitor Information Website**

During the last Harbor Management Plan workshop, the creation of an Essex Harbor visitor website that would consolidate all relevant transient vessel information was discussed. Dave Fasulo is leading the efforts on this and the project is 90% complete. Paul Riggio, Dave Fasulo, and Bill Herlihy (with input from Cy) will create the content. Alyson Finnegan in the First Selectman's office will create and post the new site before the start of the boating season (TBD). The site would be maintained by the Harbor Master. It was suggested that this initiative be shared with the Essex Board of Trade and the local marinas and yacht clubs, and also to include photography and maps.

- **National Estuary Reserve Preserve (NERR)**

This is an information only agenda item. Terry Stewart asked John Guzskowski for his take on this. His view is that the NERR is "not a regulatory designation, but rather a designation that flags this area as ecologically valuable and thus deserving of priority consideration for funding (sort of like the National Wild and Scenic River designations for the Eight Mile River in Lyme."

13. Adjournment

MOTION made by Jeff Going to adjourn the meeting at 7:39 p.m. **SECONDED:** Bill Herlihy; **Voting in Favor:** Jeff Going, Bill Herlihy, Susan Malan, **Opposed:** None; **Abstaining:** None; **Approved:** 3/0/0. **Discussion:** No further discussion.

Respectfully submitted,

Betsy McLaughlin
Recording Clerk