

Rockport Harbor Committee
Minutes of Meeting October 16, 2016
Old Firehouse Trust Building, Rockport, MA.

Present: Skip Montello; Chris Murch; Fred Hillier; Larry Stepenuck
Phil Crotty; Harbormaster Scott Story; Harbormaster Rosemary Lesch

Absent: Charles Nichols; Kevin Carrigan

Acting Chairman Montello called meeting to order at 6PM. He advised the Town Administrator had told him no formal action could be taken at meeting, since the revised notice containing a revised agenda had not been timely published due to Columbus Day being a holiday. The members decided to continue without voting on matters but otherwise proceed.

Crotty was requested to be secretary. He agreed.

Stepenuck requested an update on the 2013 storm damage repairs from the Harbormasters. No information was available. Crotty passed on what he had found out at the September Town Meeting, when CPC funds were appropriated for White Wharf in amount of \$40,000 for short term repairs and \$85,000 for long term Design and Engineering, and Pigeon Cove seawall repairs in amount of \$800,000, which also required bonding by town. Discussion followed about status of DPW contract letting for White Wharf and Pigeon Cove.

Montello asked about Rockport Harbor repairs. The Harbormasters reported that repair situation is moving with Army Corps of Engineers and FEMA, but questions remain as to which 2013 storm created the damage since not all storms are covered.

Hillier requested an update on seawall at Tool Company in Pigeon Cove harbor. The Harbormasters reported that nothing had been done in recent months, although now there are orange booms in the harbor around a portion of the seawall. Hillier asked about private property rights and Harbormaster Story drew an informative diagram about low water mark and federal control. Harbormasters advised they had required moorings to be moved that were on the Tool Company private property, and which the owner had complained about, and further reported the Harbormasters had promptly retained a private contractor to move the problem moorings. The Harbormasters also discussed proposed finger slips at the site, which they are not in favor of.

Acting Chairman Montello opened the subject of the current HAC "Committee Charge" by the Board of Selectmen. Crotty reported on his recent meeting with Mitch V., the Assistant Town Administrator. He explained that the Charge that the HAC members were working with had been superseded in that three items had been removed and two items added. Discussion followed about who made the changes and there was no resolution. The members and harbormasters reviewed the changes and determined that only one item, ie. the removal from the HAC Charge of "Chapter 91" matters should be put back in the Charge. Stepenuck stated that Chapter 91 was the core of the HAC mission. Montello stated that he will set up a meeting with the Town Administrator to discuss the Charge.

Crotty reported that he had also checked the HAC website and the information posted does not line up with the current Charge. The members agreed that the current Charge should be posted on the HAC website and directed the secretary to do so, when the Charge is cleared up after discussion with the Town, and in final form.

Acting Chairman Montello then brought up the matter of the Harbor Management Plan. There is a Plan in existence dated July 2003, the preparation for which had been authorized in December 2000 and \$10,000 appropriated. Crotty reported that he had looked for the Harbor Management Plan on the Town website and that although there is a listing for such in the website Index, no Plan is posted. When he had met with Assistant Town Administrator Mitch V., he was advised that the Plan was not adopted and so does not officially exist. The members were surprised. Crotty further reported that Mitch V. had told him the Town needs a Harbor Management Plan because the Town got in trouble over the Tool Company because it did not have a current Plan. Mitch V. had said HAC will be a good committee to start up a new or revised Plan, and the town will have to fund it in the budget, and that funding will have to follow proper bidding procedures. Murch asked if the Harbor Management Plan effects FEMA funding, and no one knew. Harbormaster Story said a Harbor Management Plan is really not necessary since Rockport does not intend to change the use of the harbors from fishing and recreational to something else like marina or commercial. He also said that DEP likes towns to have a Plan in place. Acting Chairman Montello stated that he will take up the Harbor Management Plan matter with the Town Administrator at the meeting he will schedule, and if the town wants, then the HAC Committee Charge will need to be amended to include that, and funds will have to be appropriated.

Chairman Montello also went over the current Code of Bylaws, Harbor and Floats section, and copies were distributed of the current bylaw.

Crotty asked where he could find a copy of the schedule of fees referred to in the Harbors and Floats bylaw regarding moorings, and reported that it is not on the town website. All agreed the fee schedule should be posted. It is said to be in the Treasurer's office.

Crotty said he is now on the CPC Committee, which has funds available annually for critical projects, and the November 2013 meeting is a workshop on how to access such funds. Recreational facilities may now receive CPC funds, which is a recent and important change. The Harbormasters took note.

Acting Chairman Montello told the secretary to send him the draft minutes for review, and after approval, to post the minutes on the HAC website.

Next meeting set for November 20, 2013 at 6:30PM in the Library. Montello will arrange for a room. Meeting adjourned at 7PM.

Respectfully submitted,

Phil Crotty