



**TOWN OF OLD SAYBROOK
Harbor Management Commission**

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**HMC MEETING MINUTES
January 8, 2018 7:00 P.M.
TOWN HALL EMPLOYEE CAFETERIA**

1. Call to Order

Chairman Robert Murphy called the meeting to order at 7:04 p.m.

2. Roll Call

Present: Robert Murphy, Chair; Paul Connolly, Secretary; David Cole; Dick Goduti; Rob Soden; Scott Mitchell, Harbormaster; and Jennifer Donahue, Interim Clerk. Keith Neilson from Docko, Inc. attended as a guest.

3. Citizens with Business Before the Commission

There were no citizens with business before the commission present.

Mr. Murphy noted that to accommodate guest, Mr. Neilson, the commission would skip to items 9c and 10 on the agenda to begin.

9c and 10. Ferry Road and Sheffield Street Project Planning, Bidding, Contracting and Execution Discussion

Mr. Murphy gave a brief overview of where the projects are at noting that in November the commission had voted to suspend the projects. At the December meeting it was decided to have Docko create construction drawings in preparation for bidding when the projects were ready and to investigate the viability of the Ferry Road dock lasting for one more season by potentially doing testing. Since then, more discussion has occurred amongst the group, which has brought up the possible necessity of a certificate change for Sheffield Street and a possible status change in the ability to extend the Ferry Road dock for this season. Mr. Cole noted that he was opposed to moving forward with the Ferry Road dock project at this time because of the impact it would have on the fishermen who dock there.

Mr. Murphy asked Mr. Goduti to explain the plan he had previously circulated by email to commission members. Mr. Goduti stated that the commission should move forward with Sheffield Street including the dinghy float and site work as well as removing the old Ferry Road pier and installing a new 37' fixed pier. He advocated for both jobs to be bid together because of the necessity to expedite the process. He also noted that he feels the best plan is to prepare an RFP for contractors where they can submit their own ideas for how to complete the job rather than giving them prepared drawings.

Mr. Soden pointed out that the specs have been done and the drawings are expected to be completed by January 22.

Mr. Goduti noted that the floating docks at Ferry Road look like some pilings will have to be reset. He advocated that the commission ask the Board of Selectmen to allow them to forgo the need to bid the floats at this time because of timing and standardization needs.

Mr. Soden pointed out that there is no permit for the Sheffield Street dock changes, which does not give enough time for the project as changing the permits could take months. Mr. Goduti noted that if the Sheffield Street project is not done this year, the commission may not be able to use the fill from the old police station.

Mr. Connolly proposed that the commission continue with its agreement to finish project designs and obtain permits so that movement would continue in the right direction.

Mr. Murphy made a motion that Mr. Soden is to be the interface to work with Mr. Neilson on the projects. Mr. Cole seconded the motion which was so VOTED 4-0-1 with Mr. Goduti abstaining.

Mr. Connolly made a motion to continue with discussion and modifications on Sheffield Street drawings to accommodate objections and objectives, and once designed to decide on permitting needs and submit for approval. Mr. Soden seconded the motion which was so VOTED 4-1-0 with Mr. Goduti voting nay.

Discussion switched to Ferry Road where it was noted that structural testing has not yet been done but preparation of construction drawings is continuing. At least one boat will need to be accommodated and several will have to move temporarily. Depending on the timing of the project, some may need to be relocated for the entire season. Those who may be affected have been notified.

Mr. Neilson noted that he has not been able to obtain all of the geotechnical information for all spots along the dock yet, but the spots that have been done show organics (decomposing roots, etc.), which will necessitate longer pilings or an anchor system, or a fixed dock. Mr. Neilson was also worried that a contractor may not be available because potential contractors will be tied up with ice repairs.

The commission discussed whether to do the Ferry Road project in full or to do a second step next year, perhaps doing 42' or 70' of straight pier and not putting in the new floats. Mr. Neilson noted that it was his goal to have all the documents ready to approve by January 22 to prepare for bidding. Mr. Murphy noted that he will go through the Docko bid documents this weekend and insert town standards (i.e. insurance, bonding).

Mr. Murphy made a motion to authorize Mr. Neilson to prepare construction drawings for removal of the existing fixed pier and rebuilding of approximately 37' of fixed pier with an alternate of an additional 30' of fixed pier. Mr. Cole seconded the motion which led to discussion related to the costs. Previous estimates had been \$35,000 for removal and \$25,000 for 30' of fixed pier dock. Prevailing wage was also discussed depending on the scope of the project. Mr. Neilson noted that the cost to do a test piling would be included in the bid. After discussion the motion was so VOTED unanimously 5-0-0.

Mr. Neilson left the meeting.

4. Approval of HMC Policy for Election of Officers

Mr. Murphy noted that per discussion at the last meeting he had prepared a policy for commission members to consider for annual election of commission officers. Mr. Murphy reviewed his proposal and made a motion for the policy of the Harbor Management Commission's election of a chairman and secretary each year to be as follows:

- 1) Each January there will be a vote for the chairman and secretary elected by the majority of those present;
- 2) Officer Vacancies will be filled at the next meeting after the vacancy is realized.
- 3) The chairman or secretary can be removed during his or her tenure by a vote of four commission members.

The motion was seconded by My Connolly and was so VOTED 4-0-1 with Mr. Goduti voting "present."

5. Election of Chairman and Secretary

Mr. Murphy opened the floor to nominations for chairman.

Mr. Cole made a motion to nominate Mr. Murphy to serve as chairman if he was willing to accept. Mr. Connolly seconded the motion. Mr. Goduti then made a motion to nominate Mr. Connolly to serve as chairman. Mr. Cole seconded the motion. Mr. Murphy called for a vote on his nomination which was so VOTED 4-0-1 with Mr. Goduti voting "present." Mr. Murphy then called for a vote on Mr. Connolly's nomination which was so VOTED 0-0-5 with no one casting a vote for this motion.

Mr. Murphy then made a motion to nominate Mr. Connolly to serve as secretary. Mr. Cole seconded the motion which was so VOTED unanimously 5-0-0.

6. Approval of Minutes

Mr. Murphy asked for comments on the minutes of the December 11 special meeting. After some discussion, Mr. Murphy made a motion to accept the minutes as written with the acknowledgement that there was a debate and disagreement over whether Mr. Goduti had stated at the last meeting that he would be involved in the commission's capital improvement projects. The motion was seconded by Mr. Connolly and so VOTED unanimously 5-0-0.

The minutes of the November 13 meeting that was adjourned without a quorum were again discussed and Mr. Murphy agreed to talk with the town clerk about how to handle the situation. In light of the discussion, approval of the minutes was tabled till the next meeting.

Mr. Goduti then made a motion for the chairman to contact the FOI Commission about whether or not a meeting was actually held since there was no quorum but minutes were filed where a motion to adjourn was documented. The motion was not seconded and failed to be acted upon.

7, 8, 9a&b, 15. Clerk Report, North Cove, Clothesline, Ferry Road, Old Business

Mr. Murphy has talked with the dredging contractor for North Cove. Unfortunately, equipment and weather problems have put them behind schedule. The current permit requires completion of the 11' dredged area by February 1, a deadline that is not extendable, with a March 31 completion date for the 6' dredged area, which would require a curtain or boom system be used.

Mr. Murphy suggested offering moorings to the people on the North Cove wait list with drafts of 4' and under who have not already been offered a mooring for the upcoming season with the possibility of offering moorings to the remaining people on the wait list who meet the North Cove criteria but have deeper drafts depending on the progress of the dredging.

Mr. Murphy made a motion to offer moorings to the first 27 people on the North Cove wait list who have a draft of 4' and under. Mr. Connolly seconded the motion which was so VOTED unanimously 5-0-0.

Discussion of the status of the various holder and wait lists was followed by a discussion of various problems presented for consideration by the clerk. Mr. Murphy noted that Stefan Golicz needed to re-register his boat in his own name to match his mooring. Commission members discussed giving him an extension to do so until February 15 consistent with extensions given to others in similar situations. At the last meeting Duncan Downie was approved to be on the wait list for the Clothesline. After further study it was found that he has a Westbrook address and is therefore not eligible for a spot on the Clothesline. Commission members directed Ms. Donahue to email him to inform him and to return his check. Chris VanDerStad has accepted his offer to receive a mooring in North Cove, but his boat is registered in New York. Commission members asked Ms. Donahue to inform him that he needs to produce a Connecticut registration or decal by February 15 to have his application accepted. His check should be held until then.

Mr. Murphy made a motion to accept Nicholas Antolino of Old Saybrook, David Kalal of Chester, and William Wilkie of East Hampton to the North Cove wait list; Marilyn Alfeld, Ed Wiernasz, and John Waanders all of Old Saybrook to the Clothesline wait list; and Eugene Sapozhnikov of Old Saybrook to the Ferry Road wait list. The motion was seconded by Mr. Cole and was so VOTED unanimously 5-0-0.

In response to a note sent regarding the condition of a shore pole on the Clothesline, Mr. Connolly noted that at a later meeting commission members need to discuss the responsibility of pole holders on the Clothesline.

11. 2018-2019 Budget Approval (Operating and Capital)

Mr. Murphy opened the budget discussion by suggesting that the commission submit scenario 2 from his proposed budget choices to the selectmen. Mr. Murphy also suggested that the commission make a presentation to the Board of Finance regarding the capital plan letting them know that the timing of the upcoming projects will impact the 2017-18 budget but may also require the commission to return for approval of more money in 2018-19. In addition Mr. Murphy suggested budgeting for this year with the knowledge that some of the work might straddle this year and next and reiterate to the Board of Finance that there are two projects in the pipeline. To accomplish this he suggested that a revised 2017-18 and proposed 2018-19 capital plan be presented.

Mr. Goduti expressed his confusion as to why the complete budget pieces, including all capital monies, were not reflected in the budget that Mr. Murphy presented to the commission. Mr. Murphy explained that Lee Ann Palladino, the town finance director, had requested that the commission provide certain pieces for the budget to be plugged into the town accounting system, which would then result in a complete budget. Mr. Goduti made a motion to submit a balanced budget containing all of the relevant numbers. The motion was not seconded or acted upon.

Mr. Murphy made a motion to allow him to provide Ms. Palladino with revenue projections, 3001 expenses, and a capital budget consistent with scenario 2 in his proposed budget with the revision of a North Cove mooring estimate of 120 occupied moorings instead of 140 occupied moorings. Mr. Cole seconded the motion and it was so VOTED unanimously 5-0-0.

Mr. Murphy made a motion to allow him to make a presentation to the Board of Finance, preferably at its February meeting, to discuss an increase in the 2018-19 budget consistent with scenario 2. He will seek counsel from the Board of Selectmen on the best way to do this. Mr. Cole seconded the motion which was so VOTED unanimously 5-0-0. Mr. Connolly volunteered to attend the presentation.

During the Capitol Budget discussion, Mr. Murphy informed the Commission that Mr. Goduti had informed the DEEP that the current COP contained a safety issue. Mr. Murphy said this action by Mr. Goduti was ill advised. Mr. Goduti claimed Mr. Murphy was attempting to interfere with his first amendment rights. Mr. Murphy said that was far from the truth but in contacting the DEEP and identifying a perceived safety issue, he did so as an individual and did not act or speak for the Commission.

12. Harbor Master/Dock Master Report

Mr. Mitchell had left earlier in the evening having given his assent to offering additional moorings in North Cove to those on the wait list with drafts of 4' and under.

13. Correspondence

Ms. Donahue reported that Larry Ritzhaupt, who currently has a mooring in North Cove for his power boat, would like to obtain another mooring for his sailboat. Commission members considered the request and decided that a policy of one mooring per person was a fair way to ensure access to the cove for the greatest number of people. Ms. Donahue was asked to notify Mr. Ritzhaupt of the commission's decision.

14. New Business

Discussion of kayak racks was tabled to another meeting for lack of time.

16. Payment of Bills

Mr. Murphy made a motion to pay two Docko bills each for \$315.00. Mr. Cole seconded the motion which was so VOTED unanimously 5-0-0.

17. Adjournment

Mr. Cole made a motion to adjourn at 10:36 p.m. seconded by Mr. Murphy which was so VOTED unanimously 5-0-0.

Respectfully submitted,

Jennifer Donahue
Interim Clerk, OSHMC