



**TOWN OF OLD SAYBROOK
Harbor Management Commission**

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**HMC MEETING MINUTES
December 10, 2018 7:00 P.M.
TOWN HALL EMPLOYEE CAFETERIA**

1. Call to Order

Chairman Robert Murphy called the meeting to order at 7:03 p.m.

2. Roll Call

Present: Robert Murphy, Chair; Paul Connolly, Secretary; David Cole; Dick Goduti; and Jennifer Donahue, Clerk. Attorney Michael Cronin attended as a guest.

Absent: Robert Soden and Scott Mitchell, Harbormaster.

3. Citizens with Business before the Commission

There were no citizens with business before the commission.

4. Authority of Commission

Mr. Cronin gave a history of the formation of the Harbor Management Commission in 1997, which was previously known as the Waterfront Commission. He noted that the Harbor Management Plan was then adopted in June of 2003 and there had been no review or changes to the plan since 2004. He also gave a general overview of the statutes governing the commission's work. Some of the important points he highlighted included:

- The OSHMC and Fenwick's HMC have informally split jurisdiction over South Cove.
- The commission generally has governance up to the mean high water mark and all navigable waters.
- The state has governance to the super high tide mark.
- Everything the commission does should fit under the Harbor Management Plan, which is binding on all other entities.
- The work of the Harbormaster must also be in accordance with the plan.
- Section 22a 113f of the statutes states that HMC fees will go into a specially designated town fund.
- The Harbor Management Plan and the town's plan of development work together.
- In the absence of anything to the contrary, all town property is under the jurisdiction of the selectmen with the exception of Park & Rec and, from a practical matter, the HMC.
- Attorney Cronin wrote an opinion on 4/21/2015 stating that the HMC had jurisdiction up to the high water mark.

Mr. Goduti was present during the time the commission was formed and pointed out to Attorney Cronin that ordinance 77 does not contain some key items that were inadvertently edited out when the rules from the waterfront commission were transferred to the HMC. He expressed his concern that the editing oversight has caused ambiguity in the way the HMC's authority can now be interpreted. Attorney Cronin stated that he would look into the matter, but that he felt it could be resolved with a simple letter or resolution to the selectmen.

Mr. Murphy thanked Attorney Cronin for coming and he left the meeting at 8:05 p.m.

5. Approval of Minutes

The minutes of the regular meeting of November 13, 2018 were considered. A motion was made by Mr. Cole and seconded by Mr. Connolly to accept the minutes as submitted. The motion was so VOTED 3-0-0 to accept the minutes as submitted with Mr. Goduti voting "present".

6. Clerk Report

Ms. Donahue's written report was reviewed by commission members. Updates were provided on wait list numbers, those awaiting spots on the wait list, number of applications received for moorings in North Cove and on the Clothesline, and mailings and mass emails that had gone out. The monthly financial report was also reviewed.

7. North Cove

All mooring holders have received notice of renewal by both email and regular mail. More than 100 applications are complete, a handful have minor problems, and a handful have not responded. All but three people on the wait list have been offered a mooring for the 2019 season. Ten have accepted. Three wish to remain on the list and a number have not yet responded.

Mr. Murphy made a motion to add Robert Laurie of Old Saybrook to the North Cove wait list. Mr. Cole seconded the motion and it was so VOTED 3-0-0 with Mr. Goduti voting "present".

8. Clothesline

Clothesline mooring invitations were sent by email and mail to all current holders. About half of the applications have been returned and two people have given up their moorings. Ms. Donahue noted that there is still confusion among some of the holders as to their pole numbers as their applications do not match the HMC records. It was agreed that Mr. Mitchell should review the pole numbers and make assignments as necessary and that mooring holders should be informed of their poles before the start of the season.

9. Ferry Road

Commission members asked that Ferry Road renewals be sent with a January 31 return date.

10. Sheffield Street Project Planning, Bidding and Execution Discussion

Mr. Murphy noted that until the commission comes to an agreement on how high to raise the wall no further decisions can be made. Discussion began regarding a master plan and any objections to the plan so far. Most commission members were in agreement that the existing dock would remain, height would be added to the wall but not to the height of the exiting dock and the dinghy dock and ramp would be replaced. Further discussion is required as Mr. Goduti left the meeting at 8:55. The remaining three commissioners had additional discussion and, as a result, Mr. Murphy will advise Larry Bonin not to proceed with any work until the commission determines a path forward. Mr. Murphy will try to call a special meeting in two weeks if Mr. Soden is available as commission members would like his input on the subject.

11. Harbor Master/Dock Master Report

As Mr. Mitchell was not present there was no report.

12. Correspondence

Commissioners reviewed a request by Linda Tuzzio to have her mooring located closer to Sheffield Street for the 2019 season. Mr. Murphy will notify her in writing that her request will be passed on to the harbormaster.

Commissioners reviewed a request by William O'Shaughnessy to hold his spot in the cove unless his boat is sold before the 2019 season begins. Mr. Murphy asked Ms. Donahue to notify him that moorings are non-transferrable and that in order to reserve your mooring, your paperwork must be processed and complete. If Mr. O'Shaughnessy would like to request a refund, the commission will consider it at that time but at the present time, the Commission will not consider a refund.

13. New Business

Commissioners discussed the petition to amend the Old Saybrook Zoning Regulations. Mr. Murphy will follow up with Chris Costa to make sure the commissioners' understanding of the scope of the changes as they relate to the commission's jurisdiction are accurate. Further discussion will be held at the January meeting.

Meeting dates for 2019 were reviewed. Mr. Murphy made a motion to approve the list of meeting dates for 2019. Mr. Cole seconded the motion and it was so VOTED unanimously 3-0-0.

14. Old Business

There was no further discussion on the subject of the old business.

15. Payment of Bills

Mr. Murphy made a motion to pay Olsen's Sanitation \$83 and to reimburse Ms. Donahue for \$38.25 for office supplies. Mr. Cole seconded the motion and it was so VOTED unanimously 3-0-0.

16. Adjournment

Mr. Cole made a motion to adjourn at 9:37 p.m. seconded by Mr. Connolly which was so VOTED unanimously 3-0-0.

Respectfully submitted,

Jennifer Donahue
Clerk, OSHMC