



# Stonington Harbor Management Commission

April 10, 2023

Minutes by Katrina Bercaw, Recording Secretary



1. **Call to Order:** Chairman Spalding called the meeting to order at 7:08 p.m.

**Attending:** Chairman Jay Spalding, Treasurer Sherm Crites, Vice Chairman Jesse Diggs, Commissioners Melanie Degler, Tori Gimple, Bruce MacKinnon, Tori Gimple, Caleb Rose, Joseph Williams, Harbormaster Eric Donch, and Recording Secretary Katrina Bercaw, plus Commissioner Stathis Manousos (via teleconference)

**Not in Attendance:** Edward Smith

**Guests:** Wayne Bazydlo, Jay Douglas

note: Chairman Spalding and Commissioner MacKinnon will be out of town for the May meeting.

## 2. **Minutes:**

The Minutes of the March 13, 2023, meeting were reviewed. Commissioner Diggs made a motion to approve the minutes. Commissioner MacKinnon seconded the motion. After review of the action items, no further discussion occurred, all in favor, motion approved.

Action Items remaining open:

**ACTION ITEM #1:** Harbormaster Donch is awaiting a return call from DEEP to discuss potential future commercial moorings.

**ACTION ITEM #2:** Chairman Spalding will contact the Stonington PZC as well as the Town attorney regarding Lockwood Marina's history with the Town.

#5 consider requesting emergency funds for breakwater repair - explored, completed, maybe next year

**ACTION ITEM #3:** Chairman Spalding will contact DEEP to advise them that there may be updates to the Stonington Harbor Management Plan.

## 3. **2023 Mooring Fees** - (see appended document)

Commissioner Degler made a motion to take this matter off the table. Commissioner Diggs seconded, motion passed. Commissioner Degler then shared a letter from the Town attorney, which is appended below, stating that the fee increase is within the Commission's purview.

**ACTION ITEM #4:** Chairman Spalding will ask Stacy in Town Hall to update the mooring fee on the Town website.

## 4. **Public Comment:**

Wayne Bazydlo: Thanked the Commissioners for their work and introduced himself as an applicant for the Assistant Harbormaster position.

## 5. Correspondence: Chairman Spalding

- **In Jurisdiction:**

- Mooring fee response from Town attorney (attached)
- 7 East Neck Road dock modifications - No motion required, informational purposes only.

- **Out of Jurisdiction:**

- 71 Wolcott Ave COP application - No motion required.

## 6. Treasurer's Report: Treasurer Crites

See attached. Commissioner MacKinnon made a motion to approve the Treasurer's Report as presented. Commissioner Rose seconded the motion. No further discussion, all in favor, motion was approved.

## 7. Harbormaster's Report:

The Harbormaster's April 2023 Report was reviewed and attached to these minutes. Sandy Point shoaling will be noted in *Notice to Mariners* and in the SHMC Newsletter. The Harbormaster anticipates that the new boat will be fully-outfitted and ready for launching mid-May.

Commissioner MacKinnon made a motion to approve the Harbormaster's Report as presented. Commissioner Degler seconded the motion. No further discussion, all in favor, motion was approved.

## 8. Online Mooring Update: Commissioner Degler reviewed details in the report, which is attached.

## 9. Old Business:

A. Deputy Harbormaster Search Update - Harbormaster Donch reported that three qualified applicants have applied for the Assistant Harbormaster position.

**ACTION ITEM #5:** Harbormaster Donch will draft and share a job description for input by the Commissioners.

**ACTION ITEM #6:** A Special Meeting with Executive Session will be held Tuesday, April 18 to interview candidates and make a recommendation.

B. Stonington Harbor Management Plan update - no news at this time

C. East Side Inner Breakwater Project Update - Commissioner Gimple

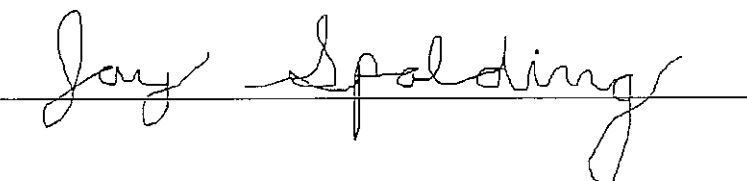
**ACTION ITEM #7:** Commissioner Gimple will follow up on request for a meeting as no reply has been received.

D. Newsletter - Commissioner Degler:

Articles and contributions from Commission members are being assembled. Commissioner Degler will share a draft with the Commission members once complete. Working to produce the final copy in early May for electronic distribution via email. Will print a few copies and will include a QR code to connect with the posting on the Town website.

10. **New Business:** none

11. **Adjournment:** Chairman Spalding adjourned the meeting at 8:52 p.m.

Approved: 

Date: 6/12/2023

Attachments:

- Mooring fee response from Town Attorney
- Treasurer's Report
- Harbormaster's Report
- OLM Report

From: Brian Estep <bestep@clsmlaw.com>

Sent: Thursday, March 30, 2023 11:34 AM

Dear All:

I have reviewed the information supplied, the Stonington Harbor Manage Plan (SHMP) and the Connecticut State Statutes regarding the Stonington Harbor Management Commission's (SHMC's) authority in establishing mooring fees.

By way of background: The SHMP provides under Section 5 E the procedures for the setting of mooring permit fees. Under Connecticut General Statutes Section 22a-113s, the SHMC can establish a fee schedule not to exceed \$200. The SHMP provides for the fee schedule to be published annually on September 1<sup>st</sup>. If there is no increase by September 1<sup>st</sup>, the previous schedule "shall govern until so approved". From a review of the Agenda for the November 14, 2022 meeting of the SHMC, it was properly, if inartfully, noticed for a discussion on the mooring fees. The increases were approved. The plan clearly provides for the mooring fees to be increased at any time but if not changed by September 1<sup>st</sup> they remain the same until properly changed. Because there was no fee established in the SHMP, the SHMC has the authority to increase the fees as long as they stay within the \$200 limit.

Therefore, it is our opinion that the SHMC can post and collect the higher mooring fees once they are approved by the SHMC.

Please do not hesitate to contact me with any questions.

Brian

Brian K. Estep

Conway, Londregan, Sheehan & Monaco, P.C.

38 Huntington Street

New London, CT 06320

Ph. 860.447.3171

Fx. 860.444.6103

|   | Plan          | Jan              | Feb              | Mar              | YTD              | Probable         |
|---|---------------|------------------|------------------|------------------|------------------|------------------|
| <b><u>Funds Generated:</u></b>          |               |                  |                  |                  |                  |                  |
| Balance Brought Forward:                | 32,022        | 32,022.38        | 31,865.60        | 18,448.95        | 32,022.38        | 32,022.38        |
| Paid Moorings: Com/Pvt/Pub:             | 128/280/15    |                  | 0/3/0            | 5/160/5          | 5/163/5          | 128/280/15       |
| Moorings Fees:                          | 47,400        |                  | 250.00           | 16,750.00        | 17,000.00        | 47,400.00        |
| Wait List Fees:                         | 2,675         |                  | 50.00            | 125.00           | 175.00           | 2,675.00         |
| Miscellaneous Income:                   | 0             |                  | 0.00             | 100.00           | 100.00           | 100.00           |
| <b>Total Generated Funds:</b>           | <b>82,097</b> | <b>32,022.38</b> | <b>32,165.60</b> | <b>35,423.95</b> | <b>49,297.38</b> | <b>82,197.38</b> |
| <b><u>Operating Expense:</u></b>        |               |                  |                  |                  |                  |                  |
| <b><u>Mooring Admin:</u></b>            |               |                  |                  |                  |                  |                  |
| Mailings:                               | 200           |                  |                  |                  | 0.00             | 200.00           |
| Telephone:                              | 0             |                  |                  |                  | 0.00             | 0.00             |
| Online Mooring:                         | 5,250         | 31.78            |                  | 1,692.96         | 1,724.74         | 5,250.00         |
| Miscellaneous:                          | 200           |                  |                  |                  | 0.00             | 200.00           |
| <b>Sub-Total:</b>                       | <b>5,650</b>  | <b>31.78</b>     | <b>0.00</b>      | <b>1,692.96</b>  | <b>1,724.74</b>  | <b>5,650.00</b>  |
| <b><u>Boat:</u></b>                     |               |                  |                  |                  |                  |                  |
| Fuel & Oil:                             | 800           |                  |                  |                  | 0.00             | 800.00           |
| Commissioning:                          | 3,000         |                  | 625.00           |                  | 625.00           | 3,000.00         |
| Storage:                                | 0             |                  |                  |                  | 0.00             | 0.00             |
| Maintenance/Repairs:                    | 500           |                  |                  |                  | 0.00             | 500.00           |
| Equipment:                              | 500           |                  | 1,092.54         |                  | 1,092.54         | 500.00           |
| <b>Sub-Total:</b>                       | <b>4,800</b>  | <b>0.00</b>      | <b>1,717.54</b>  | <b>0.00</b>      | <b>1,717.54</b>  | <b>4,800.00</b>  |
| <b><u>Harbor Maintenance:</u></b>       |               |                  |                  |                  |                  |                  |
| Buoy: Commission/Haul/Store:            | 7,500         |                  |                  |                  | 0.00             | 7,500.00         |
| Misc Service/Locker/PO Box:             | 1,000         |                  |                  | 317.17           | 317.17           | 1,000.00         |
| Adjust Grid Alignment:                  | 1,000         |                  |                  |                  | 0.00             | 1,000.00         |
| Signage:                                | 100           |                  |                  |                  | 0.00             | 100.00           |
| <b>Sub-Total:</b>                       | <b>9,600</b>  | <b>0.00</b>      | <b>0.00</b>      | <b>317.17</b>    | <b>317.17</b>    | <b>9,600.00</b>  |
| <b><u>Dock/Pumpout:</u></b>             |               |                  |                  |                  |                  |                  |
| Dock Eqpt./Maintenance:                 | 500           |                  |                  |                  | 0.00             | 500.00           |
| Pumpout Eqpt./Maintenance:              | 0             |                  |                  |                  | 0.00             | 0.00             |
| Miscellaneous:                          | 0             |                  |                  |                  | 0.00             | 0.00             |
| <b>Sub-Total:</b>                       | <b>500.00</b> | <b>0.00</b>      | <b>0.00</b>      | <b>0.00</b>      | <b>0.00</b>      | <b>500.00</b>    |
| <b><u>Administrative:</u></b>           |               |                  |                  |                  |                  |                  |
| Supplies:                               | 250           |                  | 53.16            |                  | 53.16            | 250.00           |
| Newsletter:                             | 5,200         |                  |                  |                  | 0.00             | 5,200.00         |
| Professional Services:                  | 1,500         | 125.00           |                  | 250.00           | 375.00           | 1,500.00         |
| <b>Sub-Total:</b>                       | <b>6,950</b>  | <b>125.00</b>    | <b>53.16</b>     | <b>250.00</b>    | <b>428.16</b>    | <b>6,950.00</b>  |
| <b>Total Operating Expense:</b>         | <b>27,500</b> | <b>156.78</b>    | <b>1,770.70</b>  | <b>2,260.13</b>  | <b>4,187.61</b>  | <b>27,500.00</b> |
| <b><u>Approved Projects/Capital</u></b> |               |                  |                  |                  |                  |                  |
| Replacement HM Boat                     | 17,000        |                  | 11,945.95        |                  | 11,945.95        | 17,000.00        |
| Public Access/Insurance Reserve         | 20,000        |                  |                  |                  | 0.00             | 20,000.00        |
| <b>Approved Projects/Capital</b>        | <b>37,000</b> | <b>0.00</b>      | <b>11,945.95</b> | <b>0.00</b>      | <b>11,945.95</b> | <b>37,000.00</b> |
| <b>Total Designated Funds</b>           | <b>64,500</b> | <b>156.78</b>    | <b>13,716.65</b> | <b>2,260.13</b>  | <b>16,133.56</b> | <b>64,500.00</b> |
| <b><u>Undesignated Funds:</u></b>       | <b>17,597</b> | <b>31,865.60</b> | <b>18,448.95</b> | <b>33,163.82</b> | <b>33,163.82</b> | <b>17,697.38</b> |
| <b><u>Notes:</u></b>                    |               |                  |                  |                  |                  |                  |
| Petty Cash Advance                      | 300           |                  |                  |                  |                  |                  |

## Harbormaster Report

April 10, 2023

New Mooring permits issued: 20

Moorings given up (2023): 7

New Mooring assignments in the works: 8

Deposits to SHMC account since last report: \$16,975

2023 YTD=\$17,275

Deputy Harbormaster job posting: 3 very qualified applicants. Need to discuss next step.

Breakwater Restaurant dock extended 100'. Working with Dodson Boat Yard to determine best placement of NESS and SHYC moorings.

Commercial mooring field in Wequetequock Cove covered under separate agenda item.

Mooring fee structure covered under separate agenda item.

Sandy Point shoaling, no updates from USCG or ACOE.

Robert G

The old hull was delivered to Rowmarine on March 29. (Sad day)

New vessel paperwork in my possession. It is my opinion we should have the town register the new boat and renew annually. No registration number will be displayed on boat. Not required by CT as a municipal vessel

New boat delivered 3/1/2023.

- 1) Boat is at Amie's Signs in Ashaway. She expects to have lettering done this week.
- 2) Engine swap at PMW Marine awaiting ordered control cables, instruments, control binnacle. JP has given date of 4/22 for completion
- 3) Electronics swap by Harbormaster and Scott Degler, will follow engine install

New Gear predicted:

- 1) Dock "Whips" to hold boat off dock
- 2) New fenders with lines
- 3) Remote controlled, LED spotlight
- 4) Anchor and deck anchor holder/mount
- 5) Various line holders etc.

Respectfully Submitted,

Eric Donch  
Stonington Harbormaster

## Mooring Permit

Calend  
ar

| Status                    | Count | Flags          | Count | Wait List         | Count | Wait    |
|---------------------------|-------|----------------|-------|-------------------|-------|---------|
| Approved                  | 281   | Renewal Issues | 8     | Mooring Wait List | 105   | 8 years |
| Wait Listed               | 92    |                |       |                   |       |         |
| Wait List Hold            | 13    |                |       |                   |       |         |
| Renewal Under Review      | 7     |                |       |                   |       |         |
| Application Under Review  | 2     |                |       |                   |       |         |
| Renewal Incomplete        | 15    |                |       |                   |       |         |
| Application Incomplete    | 10    |                |       |                   |       |         |
| Rejected                  | 4     |                |       |                   |       |         |
| Canceled                  | 53    |                |       |                   |       |         |
| Canceled (never approved) | 130   |                |       |                   |       |         |

- Overdue notices sent on 4/1/2023. Remaining (15) individuals will be called.
- (35) new moorings offered for 2023.
- (10) new assignment applications still have not been completed or paid of the (35).
- (2) individuals were cancelled from WL for no response when contacted to offer a new mooring assignment.
- (13) mooring total given up so far this year.
- (2) new WL applications since March meeting.
- All vendors have entered their inspection data through 2022 into the system.
- (2) more moorings found not listed in system-corrected.
- Waitlist posted on Town website and posted on Town Clerk's bulletin board.
- All Commissioners should review their assigned survey areas in the system for recent changes, new moorings assigned and review all notes for each mooring applicant in their areas.

Respectfully submitted,  
**Melanie S. Degler**  
SHMC Commissioner and Mooring Administrator