DRAFT

Town of Greenwich
Harbor Management Commission
Meeting
April 20, 2016
7:00 P.M.
Mazza Room, Town Hall

MINUTES

Members in attendance:

Frank Mazza, Chairman
Bruce Angiolillo, Secretary
Peter Quigley
Lile Gibbons
Mike Van Oss
Steve Kinner, Vice Chairman
Bill Ingraham

Alternates:

Gary Silberberg
Bernard Armstrong

Ex-Officio in Attendance:

Ian MacMillan – Harbormaster
Sue Baker – Conservation Commission
Roger Bowgen – Shellfish Commission
Lt. John Brown – Police Department
Jeff Feidag – Department of Parks & Recreation
Horst Tebbe - RTM
John Toner – Board of Selectmen

Absent:

Rick Loh – Board of Parks and Recreation
Amy Siebert – Department of Public Works
Andy Fox – Planning & Zoning Commission

1. **Meeting called to order at 7:02 P.M. by Chairman Frank Mazza.**

2. **Approval of Minutes**

   Motion to approve the minutes of the March 16, 2016 meeting by Lile Gibbons, seconded by Mike Van Oss. Motion carried.

3. **Election of Officers**

   Chairman Frank Mazza announced that he is not a candidate for re-election as Chairman. Chairman Mazza thanked Lile Gibbons and members of the Harbor Management Plan Committee for their hard work in producing the proposed Harbor Management Plan.

Bernie Armstrong thanked Frank Mazza for all his service to the Commission, which was followed by a round of applause.
Frank reported it has been an interesting and different two years and he will remain a member of the Commission.

Peter Quigley nominated Bernie Armstrong for the office of Chairman, seconded by Horst Tebbe.
Steve Kinner nominated Bruce Angiolillo for the office of Chairman, seconded by Mike Van Oss.
Lile Gibbons moved nominations be closed. Motion carried.

VOTE:	Bernie Armstrong	FOR – 1 (Quigley)
	Bruce Angiolillo	FOR – 6 (Mazza, Angiolillo, Gibbons, Van Oss, Kinner, Ingraham)

Bruce Angiolillo nominated Lile Gibbons for the office of Vice Chairman, seconded by Steve Kinner.

Peter Quigley nominated Bernie Armstrong for the office of Vice Chairman, seconded by Horst Tebbe.

Bruce Angiolillo moved nominations be closed. Motion carried.

VOTE:	Lile Gibbons	FOR – 6 (Mazza, Angiolillo, Gibbons, Van Oss, Kinner, Ingraham
	Bernie Armstrong	FOR – 1 (Quigley)

Bernie Armstrong nominated Peter Quigley for the office of Secretary. Peter Quigley declined the nomination.

Lile Gibbons moved the nomination of Mike Van Oss for the office of Secretary, seconded by Steve Kinner.

VOTE:	Mike Van Oss	FOR – 7 (Unanimous)

Bruce Angiolillo addressed to the Commission and thanked Frank Mazza for all he has contributed to the Harbor Management Commission.

4. Update on Mianus River Dredge

Frank Mazza reported very favorable progress.
Mr. Steadman reported that he has been communicating regularly with representatives of the Corps of Engineers and CT Department of Transportation regarding the status of the Corps' planned project for maintenance dredging of the Mianus River federal channel. This project is still on track to begin this fall, sometime after October 1. If any waterfront facility owners wish to dredge their facilities in conjunction with the federal project, they will be responsible for obtaining their own permits from the DEEP and Corps and making their own arrangements with a dredging contractor. Both the Corps and CT DOT emphasized that they are not responsible for, and will not participate in, any coordination between private dredging projects and the federal project; their attention will be on the federal project only. At such time as the Corps selects a contractor for the project, private facility owners are free to contact that contractor to discuss their own projects but that contractor's first responsibility will be to dredge the federal channel to its authorized depth of 6 feet at low water.

5. DEEP Application

Chairman Bruce Angiolillo asked Geoff Steadman to comment on the application. Mr. Steadman outlined Certificate of Permission Application and explained necessity for comments. Bruce Angiolillo suggested letter to DEEP outlining concerns of the Harbor Management Commission. Geoff Steadman to draft letter.
Motion by Chairman Angiolillo that Commission authorize Mr. Steadman to draft a letter to DEEP outlining concerns of Harbor Management Commission on issues identified by Mr. Steadman with copy to Planning & Zoning Commission. Motion carried.

6. **Harbormaster Report.** Copy attached.
   Chairman Angiolillo requested that Harbormaster submit his monthly report to the HMC Secretary not later than the Monday prior to the monthly Harbor Management Commission meeting.
   Steve Kinner and Bernie Armstrong to work with Harbormaster to identify unpermitted moorings and report back to the Commission at the May HMC meeting.

7. **Harbormaster Boat**
   Proposed Rules & Regulations outlined by Frank Mazza. Chairman Angiolillo encouraged Harbor Management Commission members to share comments and concerns.
   Gary Silberberg distributed draft vessel use policy that he drafted several years ago.
   Chairman Angiolillo requested Harbor Management Commission members consider Mr. Mazza's draft of Proposed Rules and Regulations of Harbormaster Boat which will be discussed at the May HMC Meeting.

8. **Update on Harbor Management Plan**
   Details provided by Geoff Steadman. Mr. Steadman reported that he met with Mr. Gaucher and has been advised that Mr. Gaucher is reviewing the proposed Harbor Management Plan and expects to have his comments to the Harbor Management Commission by the May meeting.

9. **Old Business**
   (a) Ad Hoc Committee Report .
   Bernie Armstrong outlined his draft Harbor Management Professional Service requirements.
   Steve Kenner recommended Commission members take time to thoroughly digest contents.
   (b) Peter Quigley proposal on Harbormaster fees.
   Draft resolution presented and outlined by Peter Quigley.
   Chairman Angiolillo suggested Items 9a and 9b be discussed at May MHC meeting.

10. **New Business**
    Gary Silberberg distributed a draft of six proposed resolutions.

11. **Motion to adjourn**
    Motion to adjourn by Lile Gibbons, seconded by Bill Ingraham to adjourn. Motion carried.
    Meeting adjourned at 9:20 P.M.

Bruce Angiolillo
Chairman

Mike Van Oss
Secretary

Penny Monahan assisted the Secretary in the preparation of the minutes.

4/20/16

4/20/16 Harbormaster Report

2015 total moorings	805
2015 Yacht Club moorings	347
Private moorings	458

Private mooring applications received:

2012	131
2013	213
2014	235
2015	228 (347 club), 575 total

In 2015 the total number of applications sent out to known mooring owners with known locations was 346, (not to be confused with the total number of yacht club moorings - 347), more than has ever been sent out before, and which represents exhaustive work in locating and identifying moorings and their owners.

In 2016 220 applications of 455 mooring locations have been sent out. So far we have 72 applications submitted and paid for. These applications are all incomplete as they are not accompanied by copies of the last mooring inspection or copies of the boat registrations.

Mooring vendors are currently deploying summer moorings without permits or permit renewals and this must be addressed by the HMC.

1. The slow no wake signs were posted: two were given to Riverside Yacht Club, two were posted on the Metro North RR bridge, two were given to Palmer Point Marina, one was posted with Drenckhahn's boat yard, two were posted on the south dock at Grass Island marina.

2. REPEAT: The HM attended a meeting about rowing safety held by the Greenwich Marine Police. It was pointed out that rowers or paddlecraft do not have a right of way over other vessels and may be looked upon as the burdened vessel in every instance. Common sense and safety when in close quarters with a rower must prevail. All boaters on the Mianus River this season must keep in mind that low tides and bridge closings will cause traffic problems until we are dredged in October. The HM sent a list of bridge closings to Lile Gibbons to disperse to the HMC.

3. Off season marine activities that should be monitored by the Harbormaster include: rowing, model boat races, frostbite dingy races, kayakers, fishing boats, oyster farming, clamming, boating, seal watching, mooring service work, post storm coastal surveys, marine construction and High school sailing programs. All of these activities must be recognized as vital to the use of our harbors and must be supported by the Harbor Management Commission in a manner that promotes safety at sea.

4. The Town has deployed it's seasonal channel, hazard, no wake and wreck buoys and is working on checking that permits are in order for same.

Comments on use of the HM vessel:

1. If HMC chairman authorizes operator other than HM or deputy HM, the chairmen shall be responsible for logging use and proper securing of boat

2. Who is responsible for "qualifying" operator. The CT license says nothing about knowing how to operate the boat.

3. There are 344 hours of use on the HM boat.

There is wreckage and debris on the eastern shores of the Mianus River north of the RR bridge and debris left over from Sandy on Greenwich Island in Old Greenwich Cove. This should be addressed by the Harbor Commission.

The wreck of the Kevin B must be removed to avoid further damage to visiting vessels.

Please see to it that this report is written into the minutes

Dutifully submitted: Ian Macmillan, Harbormaster, Greenwich

4/20/16

Greenwich Harbor Management Commission
April 20, 2016

R*esolution*:

I*t being resolved that the Greenwich Harbor Management Commission (HMC) shall compensate its Harbor Master a stipend of $2,000 per month for collaboration of both town and state tasks outlined in the Town of Greenwich Harbor Management Plan and in Connecticut's General State Statutes (CGS) # 263, 268, and 444a.*

Payment to commence July 1, 2016, to coincide with Town of Greenwich's fiscal year FY 2016-2017 and paid the 1st of each month, according to established town procedures, following previous month's Harbor Master Report. Said stipend to be reviewed annually.

Respectfully submitted this day of April 20, 2016
Peter Quigley

4/20/16 Gary Silberberg

HMP RESOLUTIONS

1. **RESOLVED**: That the Chairperson shall create the annual schedule of the regular meetings of the harbor management commission for the third Wednesday of each month. The Chairperson shall submit such schedule for posting with the Greenwich Town Clerk no later than December 15 of the year preceding.

2. **RESOLVED**: That the Commission shall form the following standing committees:

a. **Safety**, whose purpose it shall be to review safety issues within the HMA and make recommendations to the full Commission and work with the Harbormaster, Marine Police, State DEEP, U. S. Coast Guard or other related agencies to help see the implementation of the recommendations.

b. **Finance**: whose purpose it shall be to create annual budgets for submission to and adoption by the entire commission. Such budget shall include recommendations for fees for various activities within the GHA, and recommendations for expenditures, including capital expenditures which may be accumulated over a protracted period of time. In compliance with the Federal, and other governmental requirements, these budgets shall be developed as "revenue neutral" except as may be required for consideration of long term capital expenditures and to create a "smoothing effect" for annual fee structures.

c. **Coastal Application Review Committee**: to review applications of coastal site plans for consistency with the State's Coastal Management Act and Greenwich' Harbor Management Plan and to make recommendations to the full commission who shall then vote upon them and make recommendations to the Planning and Zoning Commission.

d. Harbor Management Plan Review Committee: shall continuously monitor the operation of the Plan and annually shall make recommendations for change, if warranted, and as required by the ordinance creating the plan, state statutes. If changes are recommended, these proposed changes shall go through the same steps required of the plan, including deliberation by the Commission, a public hearing, submission to the State for approval, and adoption of State approved changes by the RTM.

e. **Mooring committee:** to assist the Harbormaster in developing mooring grids for each mooring area, to work with the harbormaster in developing bathyrhythmic charts to improve efficiency in mooring areas, to work with the Harbormaster in soliciting new and renewal

mooring applications, to assist the harbormaster in the collection of funds and documentation for mooring permits, to assist the harbormaster in developing procedures to aid in the efficient and speedy issuance of mooring permits by the harbormaster, to assist the harbormaster in meeting his required duties

f. **Dredging Committee**: to inspect the various harbors within the GHA, and routinely monitor them with the assistance of the harbormaster, in order to develop a dredging plan and cycle. To provide their report to the full commission for adoption. To work with the finance committee to be able to develop an appropriate revenue stream to meet the needs of the committee, and to work with the appropriate State, Federal and municipal departments to be able to coordinate dredge plans and move them along to completion.

3. **RESOLVED:** Membership in committees shall be comprised of any and all members of the Commission, including ex-officios, who volunteer to serve, without limit to their numbers. All members, including ex-officios, can vote in committee meetings but only commissioners can vote in regular commission hearings, meetings and votes, even though the item being voted upon may be
based upon committee deliberations in which they voted. The committee chair shall be chosen annually by the members of the committee.

4. **RESOLVED:** Meeting rooms shall be set up so that all commission members can be seated at the dais and separated from non-members. Name plates/cards will be displayed for all commission members, and, in the case of ex-officios, shall identify the organization or department they represent.

5. **RESOLVED:** Audio recordings shall be made of all HMC meetings and be made available on the town website.

6. **RESOLVED:** The HMC may appoint members to be representatives to each of the boards or commission with whom we correspond, to act as ex-officio/representatives from the HMC. These representatives shall have no voting power in the corresponding commissions. Any personal opinion expressed by these representatives in these commission meetings MUST be identified as their PERSONAL opinions and MUST indicate that the HMC has not deliberated or voted upon the matter at hand. HOWEVER, should the matter be an item the HMC has deliberated upon and voted upon, in which case, the representative shall indicate and express the official position of the HMC.

4/20/16 Submitted by Gary Silberberg

Proposed Harbormaster's Vessel Usage Policy

1. **Ownership.** The Harbormaster's vessel (HV) is owned by the Town of Greenwich (TOG). Use of the vessel by the State Harbormaster for Greenwich (Harbormaster, HM) is hereby authorized by the Board of Selectmen (BOS) to be replaced by the Harbor Management Commission (HMC) if and when one is created. (Hereinafter BOS/HMC). Operation of the Harbormaster's Vessel (HV) shall be in compliance with these policies herein and all applicable State and Federal laws and a State approved Harbor Management Plan (HMP.) If there should be a conflict between these policies and State or Federal law, State or Federal law shall supercede these policies. The BOS/HMC shall take no action which would interfere with the ability of the HM to carry out his statutory duties under State or Federal law and/or a State approved Harbor Management Plan or §7-89 of the Greenwich Municipal Code. However, if the HM shall fail to comply with State or Federal law and/or a State approved HMP, the BOS/HMC may deny the HM the use of the HV.

2. **Usage.** The HV is assigned to the HM who will have exclusive use and control of the vessel. The HM will be the steward of the vessel and as such be responsible for the proper operation and maintenance of the HV under the auspices of the BOS/HMC and a State approved HMP. The HM, at his sole discretion, may allow a State appointed Deputy Harbormaster, if any, to operate the vessel under the same terms and conditions as the HM. Any operator of the vessel must have a valid Safe Boating Certificate issued by the State of Connecticut, or an equivalent or superior rating. (e. g. Coast Guard license or a similar safe boating certificate from another state.)

   The HV is to be used exclusively by the Harbormaster in carrying out his statutory duties under State and Federal law and/or a State approved HMP. The HV may be used by the HM or Deputy HM in attending conferences or training sessions on the water where use of a vessel is helpful or mandatory or any other reasonable purpose related to his carrying out his duties.

   No other person may operate the HV unless specifically directed by the HM.

   The BOS/HMC will insure that all required safety equipment is provided to the HM who will see to it that it is aboard and in operating condition, including necessary life jackets for each person on board, a fire extinguisher, flares and other signaling equipment, a VHF, a GPS and a first aid kit. In addition, it is recommended that the HV shall have onboard a suitable anchor and rode, boat hook, fenders and additional lines. Should any item be missing or inoperative, the HM will file an appropriate report with the BOS/HMC.

   It is up to the sole discretion of the HM (operator of the vessel) to determine if weather conditions are suitable for operation.

   Anyone boarding the HV during routine operations is required to sign a Waiver of Liability (see attached). This Waiver may be a blanket waiver covering an entire year, or a daily waiver to cover a single occasion. The HM will maintain these waivers and turn them over to the BOS/HMC upon request. No one may board the HV vessel without the operator's approval.

   In the event of an emergency or other imminent situation, the HM may render assistance while acting as a Good Samaritan. Any such assistance shall be noted in the appropriate logs and should be consistent with the prevention of injury and the preservation of life and property.

   The HM will maintain logs covering the operation and maintenance of the HV. These logs will be available for inspection by the BOS/HMC upon request.

The operation log will include daily entries each day the vessel is in use and will enumerate the time out, time in, the purpose of the trip, and any persons onboard. If the engine is equipped with an hour meter, a notation of the elapsed time will be made.

The HM will maintain a maintenance log showing what routine work is requested and when it was completed. A maintenance request will be turned into the BOS/HMC as necessary to request repairs and maintenance. The BOS/HMC will act in a timely manner to see to it that proper maintenance and repairs are made so that the HM may continue to carry out his statutory duties and "down time" is kept to a minimum. It is the HM's responsibility to bring the HV to the approved repair or maintenance facility for the work to be done. Where possible, the HM, at his own discretion, may perform his own maintenance and repairs provided he is qualified to provide such services and there is no cost to the town for his labor. The Town will reimburse the HM for oils, fluids and parts used provided that the HM has obtained prior authorization for items purchased from the BOS/HMC or the expense is within a discretionary limit agreed upon at the start of each budget year. These discretionary funds are solely for the maintenance and repair of the HV and may not be applied to any other expense of the HM. Proper receipts must be submitted for the HM to obtain reimbursement. No other individual or company may maintain the vessel or motor other than an authorized dealer or vendor if such service would void a warranty. All work performed must be consistent with an approval from the BOS/HMC.

The BOS/HMC will not postpone or delay maintenance or repairs if such delay or postponement will interfere with the HM's statutory duties, void any warranties, or create additional expenses.

In addition to a daily log of use and a maintenance log, the HM will also maintain an exception log. This log will report any exceptions including groundings or other minor incidents involving the HV, acts of a Good Samaritan, accidents and emergencies involving others, and anything else not covered by the normal operation or maintenance logs. In the event of an accident with others, or an accident of the HV with repairs that are anticipated to be in excess of $500, the HM will provide a written report to the Greenwich Marine Police within 24 hours of the event, or as soon as practicable. A copy of any report given to the police will also be forwarded to the BOS/HMC.

3. **Expenses.** Expenses for the HV shall be paid by the BOS/HMC and come from the Harbor Fund, as required by law. The BOS/HMC will prepare an annual budget in conjunction with the HM to estimate the costs attributable to the HV. This annual budget will also include a discretionary fund at an amount agreed upon for the HM to use solely on the HV as discussed in section 2 above, and will be an integral part of the annual budget of the BOS/HMC (Harbor Fund).

   These costs shall include, but are not limited to: Fuel, which must be obtained from a Town authorized fuel depot using a Town authorized account. Other expenses, such as insurance (if applicable), equipment purchases, oil and other fluids, maintenance and repairs attributable to the HV must be obtained through the Town's normal procurement channels, whenever possible, unless they fall under the discretionary fund discussed above.

   In the event of an emergency or accident, the HM may take appropriate actions, including authorizing emergency service, and make the minimum repairs to prevent further damage or loss and necessary to bring the vessel to a safe and secure location. The HM will report back to the BOS/HMC as soon as possible as to what actions were taken and what further repairs are necessary.

DRAFT

[Board of Selectmen or Harbor Management Commission if or when created]

101 Field Point Road

Greenwich, CT 06830

Citizen's Liability Waiver Form

State Harbormaster's Ride-Aboard Instructions and Waiver:

You are an Observer only and, therefore, your actions need to reflect that.

- Follow ALL instructions given by the State Harbormaster. If you have a questions or doubt about what to do, ask.
- Do not get involved in any situation, or interfere with the ongoing operations of the State Harbormaster unless specifically asked to do so.
- Do not get out of the State Harbormaster's boat unless you are told to do so.
- Ask any and all questions you may have, but make sure it is at an appropriate time.
- If you feel uncomfortable or frightened with any situation, immediately tell the State Harbormaster.
- Arrive on time and please do not ask for extensions of time.
- NO WEAPONS WILL BE ALLOWED on the State Harbormaster's boat, even if you are licensed to carry one.

I_____, the undersigned person, understands that riding aboard the State Harbormaster's boat is an inherently dangerous activity which could result in physical, psychological, or emotional damage to my person. Comprehending this fact, I still wish to ride aboard the State Harbormaster 's boat. I represent that being onboard the State Harbormaster 's boat is strictly voluntary on my part. Prior to being onboard the State Harbormaster 's boat and participating in or observing any ride aboard activities or programs, and in consideration of being permitted to ride aboard the State Harbormaster's boat, I, for myself, and on behalf of my successors, assigns, executors and administrators, and legal representatives, hereby knowingly and voluntarily agree to release and discharge, and to indemnify and hold harmless the Town of Greenwich, it's Departments, Boards, Commissions, Members, Officers, Agents, Employees, Successors, and Assigns and legal representatives, including, not limited to, the Board of Selectmen and the Harbor Management Commission, from any and all claims and all manner of actions, causes of actions, suits, and demands whatsoever, in law or equity, arising out of any and all injuries or damages sustained by me as a result of my participation in the State Harbormaster's ride aboard program or activities. I represent to the State Harbormaster, the Board of Selectmen and the Harbor Management Commission that I have read and understand and agree to the foregoing as my free act indeed.

Period covered: ☐ _____ season, or ☐ _____(specific date)

Signature: _____ Witness: _____

Printed Name: _____ Date: _____