

**REGULAR MEETING**  
**Minutes of Tuesday, February 17, 2009**  
7:30 PM, East Lyme Town Hall  
108 Pennsylvania Ave.,  
Niantic, CT 06357

Present: Chairman Don Landers, Treasurer Steven Dinsmore, Secretary Frank Skewes, Marvin Schutt, Barbara Johnston, Bill Mountzoures

Absent: Greg Murin.

Also Present: Harbor Master Joseph Hitchery, Deputy Harbor Master Marc Berger, Mike Theiler, Rick Kanter

**1 Call to Order**

Chairman Landers opened the Regular Meeting at 7:25 PM.

**2 Approval of Minutes of Regular Meeting of January 20, 2009**

**MOTION 1: A motion to approve the minutes of the Regular Meeting of January 20, 2009, as amended, was made by Ms. Johnston, seconded by Mr. Dinsmore. Motion carried (6-0).**

**Amendment:** In Paragraph 5. A. Correspondence: In the "Outgoing" section: Add the names of Joseph Hitchery and Marc Berger as the recommended appointees for Harbor Master and Deputy Harbor Master, respectively.

**3 Public Delegations**

Rick Kanter, Co-Chairman of the Waterford East Lyme Shellfish Commission stated that he was opposed to an idea expressed at the last Waterford Harbor Management Commission meeting, i.e., the installation of buoys in the upper Niantic River to establish a no wake kayak corridor in the river. Chairman Landers stated that proponents of a similar idea had spoken at the last East Lyme Harbor Management/Shellfish Commission meeting, and that he thought that better enforcement of existing no-wake zones was a better way to protect users of kayaks and small boats in the River. There was general agreement that adding buoys in the River was not the way to go.

Mike Theiler, a shellfish lessee in East Lyme, stated that it seemed that there were inaccuracies in the rain gauge used to determine when to close the bay after a rainfall. Rick Kanter stated that the Waterford Shellfish Commission has also observed apparent errors in the rain gauge reports. Chairman Landers stated that he would investigate the problems with the rain gauge.

Mr. Theiler also pointed out that there was a Viability Grant that was available to fund agriculture, including shellfish related activities. He thought that these funds could be used by the Town to acquire a new rain gauge if it is determined that the existing rain gauge is defective.

Mr. Theiler also expressed a desire to reestablish the 2-inch rainfall event trigger point in the Niantic Bay. The trigger point had been lowered to one inch after one bad water sample. Chairman Landers stated that he would try to get more samples taken to provide the data that would support the 2-inch trigger.

**4 Old Business**

A. Mooring Permits

Mr. Skewes reported that there had been a mailing of 300 applications to current or previous mooring holders. He stated that 30 of those letters had been returned undeliverable and approximately 34 applications had been received with checks; three new applications and the rest renewals. There was a discussion about the general process of mooring permit approvals, the process for validating a mooring position, and the process for mooring inspections. Chairman Landers asked Mr. Dinsmore to talk to the Finance Department to prepare for the handling of the mooring permit checks. Mr. Mountzoures identified a problem with pole moorings installed at the end of Town right-of-ways and Town streets.

B. Harbor Management Plan – Reports from Sub-Committees

Mr. Dinsmore reported on a meeting of the HMP sub-committee held on February 17, 2009. He asked for final comments on the previously reviewed section, and passed out copies of the next section to be reviewed by the sub-committee.

C. Connecticut Harbor Management Association

Mr. Dinsmore reported that he thought we would have an opportunity to talk to members of the Association at their next meeting in March.

## 5 New Business

A. Correspondence

### Outgoing

None.

### Incoming

1. Copies of the Appointment letters for the Harbor Master and Deputy Harbor Master.
2. A copy of the “Dredge”
3. An email from John Pinto announcing a CTDEP sponsored workshop for Harbor Masters and Deputy Harbor Masters on March 11 (Norwalk) and March 25 (Old Lyme) and the Annual Connecticut Harbor Management Association meeting on March 18 in Bridgport.
4. Mooring permit application correspondence

B. Niantic River Boating Safety

Mr. Schutt observed that it had been agreed that the resolution of the safety issues in the upper river was increased patrols, and that both Waterford and East Lyme police had agreed to increase patrols in 2009.

Chairman Landers reported on the possible availability of a boat donation for the Harbor Master, and that he would pursue the acquisition of the boat.

C. Discussion of FY 2010 Budget

Mr. Dinsmore identified several adjustments that had been made to the budget allocations, but he reported that the budget total had not changed. He reported that the budget has not been reviewed by Board of Finance yet.

Mr. Skewes asked about the possibility of acquiring a handheld GPS for the use of the Harbor Master and the Commission in managing the mooring locations.

Chairman Landers asked Ms. Johnston to investigate the cost of a rain gauge for possible purchase by the Commission.

## 6 Reports

A. Shellfish Warden

Not present.

B. Harbor Master

Mr. Hitchery reported that he had received nine telephone inquiries through the new communication protocol that has been established. He met with Dick Morris to discuss common issues. He plans to meet with the Waterford Harbor Master.

C. Treasurer

Mr. Dinsmore reported. He had received no bills and no checks in the past month.

**MOTION 2: A motion to approve the Treasurer's Report was made by Mr. Schutt and seconded by Mr. Mountzoures. Motion carried (6-0).**

D. Ex-Officio

Not Present

## 7 Comments from other Commission Members

Ms. Johnston asked about the status of the Kumpitsch Fund. She also commented on several items of interest, including CT House Bill 5505 on boating safety and Bill 6350 that would remove sales tax exemption for boats currently under consideration.

Mr. Dinsmore commented on the proposed Right to Farm Ordinance that the Town is currently working on, and that it applies to aquaculture as well as conventional farming.

## 8 Adjournment

**MOTION 3: Mr. Skewes moved the meeting be adjourned at 9:45 PM, seconded by Mr. Dinsmore. Motion carried (6-0).**

Respectfully Submitted,  
Frank Skewes, Secretary