



Harbor Management Commission

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**Regular Meeting Minutes
Thursday, March 28, 2024, 6:30 p.m.
Town Hall Meeting Room A**

1. Call to Order

Terry Stewart called the regularly scheduled meeting of the Essex Harbor Management Commission to order at 6:30 p.m.

2. Attendance

Members Present: Terry Stewart, Jeff Going, Bill Herlihy, Susan Malan, Kit Schellens, John Senning

Others Present: Henry Domenie, Safe Harbor, Remote, Dave Fasulo, Deputy Harbor Master, Paul Riggio, Harbor Master, Elson Guo, Substitute Clerk, Remote, Betsy McLaughlin, Clerk, Remote

Guests

- David R. Provencher, AIA, President & Project Architect, Share Design, PLLC
- Daniel W. Rutan, Connecticut River Dock & Dredge, Inc.
- Kenneth Thomsen, Essex Resident

Absent: Brian Weinstein

Terry Stewart asked the Commission for consensus to add an executive session to review DEEP required documentation as new agenda item #11. The Commission agreed.

3. Approval of the February 2024 Meeting Minutes

The February 22, 2024 regular meeting minutes were reviewed.

MOTION made by Jeff Going to approve the February 22, 2024 regular meeting minutes.
SECONDED: Kit Schellens, **Voting in Favor:** Kit Schellens, Jeff Going, Susan Malan, John Senning, **Opposed:** None; **Abstaining:** None; **Approved:** 4/0/0. **Discussion:** No further discussion.

4. Public Comment

Terry spoke about Brian Weinstein's resignation and introduced Kenneth Thomsen, Essex resident and mooring permit holder. Ken will be nominated by the First Selectman as the new alternate

member for the Harbor Management Commission. He will be recommended at the Board of Selectmen meeting on April 3rd for appointment to the Commission at a Town meeting on April 17th.

5. Financial Report

Bill Herlihy presented the February 2024 financial report for the Liberty Checking, Public Access, and General bank accounts, with a total funds closing balance as of February 29, 2024 of \$48,560.54.

MOTION made by Kit Schellens to approve the February 2024 financial report as presented. **SECONDED:** Susan Malan **Voting in Favor:** Kit Schellens, Susan Malan, Jeff Going, John Senning, **Opposed:** None; **Abstaining:** None, **Approved:** 4/0/0. **Discussion:** No further discussion.

Bill presented an invoice for EHMC administrative support in the amount of \$436.56.

MOTION made by Jeff Going to approve the invoice presented. **SECONDED:** Susan Malan, **Voting in Favor:** Kit Schellens, John Senning, Jeff Going, Susan Malan **Opposed:** None; **Abstaining:** None, **Approved:** 4/0/0. **Discussion:** No further discussion.

6. Harbor Master Report

Paul Riggio said that he is behind on finishing the mooring layout but will finish it before Rachel Smith needs it.

He noted that he and Dave Fasulo still need to see if they can find another possible Capstone project for Shep Whitney. One idea is to make the project more of an emergency location project. They could talk to John Planas, Essex Fire Marshal to see how this could help the Essex Fire Department and the emergency response team.

Middle Cove Mooring Permit Wait List applicant Gus Bentivegna was offered a mooring permit in Middle Cove but has declined as he is using a mooring at EYC instead. He has been removed from the Middle Cove wait list.

The Bushnell Access Wait List Renewal period has ended. All renewed except one - Michael Lopez.

One new Bushnell Access List applicant: 3.20.24, Elizabeth (Terry) Parkinson.

The Bushnell Access permit sticker mailing is being prepared and will be at the Essex Post Office by Saturday, March 30th latest.

The last three people on the Bushnell Access wait list applied in November & December. They have not been asked to renew yet pending the Commission's decision on this consistent with our practice not to require mooring permit wait list applicants who applied in November & December to renew.

Paul is waiting for the mooring permit paperwork from Tom Pinkowish, who was approved for a mooring in the fall pending the purchase of a boat and providing requisite documentation in the Spring.

Also, mooring permit wait list applicant John Hincks was offered a mooring permit in the fall but applied for a wait list position in error. This was not discovered until after the fact. He has since been offered a mooring permit and Paul is waiting for John's purchase of a boat and corresponding documentation.

The mooring permit fee schedule needs to be reviewed and approved so it can be posted.

The Commission asked about channel markers and Paul says that he will need help with that. The Commission will need to work with Safe Harbor before proceeding with work. The Commission agreed to wait to hear from Paul to coordinate meetings.

7. Harbor Management Business

Kit let Daniel Rutan speak about his proposal to have two pilings on the inside between the ramp to stabilize the Mack Lane Town Dock and being able to lift the ramp during winter. The Commission asked what the timeline for this project was and Dan assured that it could be done at any time in a few hours. It would cost \$10,700.00 including the pylon.

The Commission debated whether the proposal should be a priority for them to make a motion for acceptance or not.

MOTION made by Kit Schellens to accept Connecticut River Dock and Dredge's proposal to build the Mack Lane Town Dock for \$10,700.00. **SECONDED:** Jeff Going, **Voting in Favor:** Kit Schellens, John Senning, Jeff Going, Susan Malan, **Opposed:** None; **Abstaining:** None, **Approved:** 4/0/0. **Discussion:** Terry summarized the Harbor Management Commission's responsibility for 17 Mack Lane's dock's safety and stability. Terry Stewart agreed that he would speak to the First Selectman about how to proceed with 17 Mack Lane before the Commission takes any more action.

The Commission reviewed the 17 Mack Lane concessions to accommodate the Harbor Management Commission and how the dock was approved by DEEP.

The Inland Wetlands Commission Cease and Desist Letter for the 1 Teal Lane project can be lifted with the submission of a remediation plan regarding the Bushnell Small Vessel storage area. The Commission is requesting a replacement of the treeline because of the displacement caused by installation of the temporary road. Additionally, the Commission is requesting the leveling of the area where the Commission intends to implement a new kayak rack. If Inland Wetlands Commission approves of the requests, their cease and desist letter will be removed from the 1 Teal Lane project. The Inland Wetland Commission has not determined a fine yet. The Commission agreed to follow up with Carey Duques, the Town's ZEO, to encourage a fine to more strongly prevent future occurrences.

David Provencher, project architect for the 38 Foxboro Point Project, has asked for time to respond to questions from the Harbor Management meeting from February regarding Paul's questions about construction plans. David has indicated that no changes have been made to the plan he presented in February.

MOTION made by John Senning to end discussion on the 38 Foxboro Point project design. **SECONDED:** Kit Schellens, **Voting in Favor:** Kit Schellens, John Senning, Jeff Going, Susan Malan, **Opposed:** None; **Abstaining:** None, **Approved:** 5/0/0. **Discussion:** No further discussion.

Terry Stewart summarized last year's Hydrilla event and spoke briefly about the ELTL/HMC Joint Hydrilla event to be held at the Town Hall on April 3rd at 6:00 p.m.

8. Town Public Access Points

Terry Stewart asked that Ken Thomsen look at the Access Points. Susan Malan offered to take over Foot of Main and Ken agreed to take over Turtle Creek and Mack Lane.

The new Bushnell Access storage rack will reduce the Bushnell Access Wait List from 41 to 16 small vessels. The next step is for Paul to provide fittings to Ryan Welch so the Town crew can assemble and install the new rack.

9. Harbor Management Plan Update

The Commission has sent another set of edits to Marcy Balint and is waiting for her to return from vacation for more feedback and to schedule a live call with her to go through comments.

10. Correspondence: None.

11. New Business

ECYC is working with the local CG Auxiliary to schedule Vessel Safety Exams on June 8th for up to 30 boats.

12. Executive Session & Adjournment

MOTION made by Jeff Going to adjourn the Harbor Management Commission regular meeting at 7:12 p.m. and move to an Executive Session. **SECONDED:** Kit Schellens, **Voting in Favor:** Kit Schellens, John Senning, Jeff Going, Susan Malan **Opposed:** None; **Abstaining:** None, **Approved:** 4/0/0. **Discussion:** No further discussion.

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Respectfully Submitted,

Elson Guo
Substitute Recording Clerk