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**TOWN OF JAMESTOWN  
HARBOR COMMISSION**

Minutes of the December 14, 2016 Meeting of the Jamestown Harbor Commission  
*Approved: 1/11/2017*

A meeting of the Jamestown Harbor Commission (JHC) was held Wednesday, December 14, 2016 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island.

**I. CALL TO ORDER AND ROLL CALL**

Chairman Cain called the meeting to order at 7:00 PM with roll call:

Present:

David Cain, Chairman  
Wayne Banks, Commissioner  
Dan Wurzbacher, Commissioner  
Joseph McGrady, Commissioner  
William Harsch, Vice-Chairman  
Bruce Dickinson, Commissioner

Absent:

Clifford Kurz, Commissioner

Also in attendance:

Chief Edward Mello, Executive Director  
Mark Campbell, Harbormaster  
Kim Devlin, Harbor Clerk  
George Souza, Conservation Commission Liaison

**II. APPROVAL OF MEETING MINUTES**

**A. Wednesday, November 9, 2016**

Commissioner McGrady moved to accept the minutes of the Wednesday November 9, 2016 Jamestown Harbor Commission meeting, Commissioner Wurzbacher seconded. So voted; (6 ayes, 0 nays).

**III. OPEN FORUM**

**A. Scheduled Requests to Address**

No Scheduled requests to address.

**B. Non-scheduled Requests to Address**

Mr. Don Richardson, 12 Davis Street, asked the Jamestown Harbor Commission if they directed the Police to tell people that they cannot put trailers on the town beach.

Executive Director Chief Mello stated that the Jamestown Harbor Commission had no involvement in that matter.

Mr. Richardson stated that a police officer told his neighbor he could not put a trailer on the beach.

Executive Director Chief Mello stated he would research Mr. Richardson's question.

**IV. EXECUTIVE DIRECTOR MELLO'S REPORT**

**A. Response to Dutch Island**

Executive Director Chief Mello stated that at the last meeting there were inquiries regarding the emergency response to Dutch Island. The first question was if the insurance would cover any instance where town property was damaged. The

answer is that, yes the insurance would cover any town employee operating town equipment. The second question was if there is any specific training or certification required for the officers who may operate the Harbormaster vessel. Executive Director Chief Mello stated that nothing beyond what is required by any citizen to become certified to operate a vessel is required and that Mark developed a very detailed training program and trained the officers to take one vessel from West Ferry to Dutch Island as the use of the island increases in popularity.

A discussion ensued.

#### **B. Permit Stickers**

Executive Director Chief Mello informed the Jamestown Harbor Commission that we will be using new stickers this year that better indicate the location a vessel is permitted to be placed.

Executive Director Chief Mello reported that the bids for the dolphin repair at West Ferry were opened and the low end cost is \$38,000. This is just the start of major repairs at West Ferry, including the stairs to the outhauls.

A discussion ensued.

### **V. HARBORMASTER REPORT**

Harbormaster Campbell had no update.

### **VI. MARINE DEVELOPMENT FUND BUDGET**

#### **A. 2015/2016 MDF YTD Budget**

The Marine Development Fund budget was not available.

### **VII. SUB-COMMITTEE REPORTS**

#### **A. Budget**

Commissioner Kurz was absent.

#### **B. Facilities**

Commissioner Dickinson had nothing to report.

#### **C. Mooring Implementation**

Chairman Cain had nothing to report.

#### **D. Traffic Committee**

Chairman Cain had nothing to report.

### **VIII. LIAISON REPORTS**

#### **A. Conservation Commission Liaison**

Conservation Commission Liaison Souza reported that the Friends of the Jamestown Rights-of-Ways group interests intersects with the interests of the Jamestown Harbor Commission and they will provide a formal letter to the Jamestown Harbor Commission regarding their organizational goals.

### **IX. OLD BUSINESS**

There was no Old Business to discuss.

### **X. CORRESPONDENCE**

There was no Correspondence.

### **XI. NEW BUSINESS**

#### **A. Appeal – Mr. Greg Ferguson; appealing forfeiture of mooring permit**

Mr. Ferguson stated that he is appealing to the Jamestown Harbor Commission to get his mooring permit back. He did not pay the mooring fee and did not realize the implications of not doing so. Mr. Ferguson informed the Jamestown Harbor Commission that he had moved a number of times over the last year and that his mother broke her hip, so he was busy remodeling her home. Mr. Ferguson stated that he is not trying to excuse himself and admitted that he made a mistake and that he will not let this happen again.

A discussion ensued.

Commissioner Dickinson stated that he himself made the mistake of not paying his permit fee and that he paid the late fees and that if Mr. Ferguson is willing to do so he does not have a problem with approving the appeal.

Vice-Chairman Harsch requested to hear Executive Director Chief Mello's opinion on the matter.

Executive Director Chief Mello summarized the timeline of attempted correspondence with Mr. Ferguson and stated that it is up to the Jamestown Harbor Commission's discretion on how to handle the appeal. Executive Director Chief Mello also noted that the late fees Mr. Ferguson would be required to pay are not insignificant and total \$500, in addition to his permit fee.

Chairman Cain moved to grant Mr. Ferguson leniency and approve his appeal, provided he pay his mooring fee and the \$500 in late fees by January 1, 2017; Commissioner McGrady seconded. So voted; 6 ayes, 0 nays.

**B. Appeal – Mr. Dan Donaghue; appealing late fees**

Mr. Donaghue stated he is requesting relief from paying late fees for his West Ferry outhaul permit.

Executive Director Chief Mello informed the Jamestown Harbor Commission that, unlike Mr. Ferguson, this is a unique situation. This is the first year the town has managed the West Ferry outhauls and we don't have the position that he was sent warning letters. Mr. Donaghue did not receive a forfeiture notice has been assessed \$500 in late fees, which he is appealing. Executive Director Chief Mello stated that, in the light of consistency, there have been a number of cases where the Jamestown Harbor Commission has reduced the amount of late fees at their discretion.

The Jamestown Harbor Commission reached a consensus that reducing the late fees is reasonable.

Chairman Cain moved that the appellant be required to pay a late fee in the amount of \$100, which shall be paid on or before January 1, 2017; Commissioner McGrady seconded. So voted; 6 ayes, 0 nays.

**C. 2017/2018 Budget, Long Range Infrastructure Plan and 2017 Rate**

Executive Director Chief Mello reported that the Harbormaster truck would need repairs in the next budget, if not in the 2014/2018 budget. The truck is not capable of hauling the Freedom 21 Harbormaster vessel and it is in need of significant repairs.

A discussion on the budget, long range infrastructure plan and rates ensued.

Chairman Cain moved to approve the 2017/2018 budget, long range infrastructure plan and the rates; Vice-Chairman Harsch seconded. So voted; 6 ayes, 0 nays.

Executive Director Chief Mello asked the Jamestown Harbor Commission who they would like to present the budget, rates and plan to the Town Council. The preference was that Commissioner Kurz handle the presentation to the council.

**XII. OPEN FORUM – CONTINUED**

Executive Director Chief Mello thanked Commissioner Dickinson for his service on the Jamestown Harbor Commission, as this is his last meeting as a commissioner. Executive Director Chief Mello stated that he appreciates all of Commissioner Dickinson's assistance and expertise, as well as his practical approach to harbor projects.

**XIII. ADJOURNMENT**

Commissioner McGrady moved to adjourn at 8:16 PM, Commissioner Dickinson seconded. So voted; (6 ayes, 0 nays).

Respectfully submitted,



Kim Devlin  
Jamestown Harbor Clerk