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**TOWN OF JAMESTOWN
HARBOR COMMISSION**

Minutes of the February 11, 2015 Meeting of the Jamestown Harbor Commission
Approved: 3/8/2015

A meeting of the Jamestown Harbor Commission (JHC) was held Wednesday, February 11, 2015 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island.

1. CALL TO ORDER AND ROLL CALL

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

Present:

David Cain, Vice-Chairman/Chairman
Ed McGuirl, Commissioner/Vice-Chairman
Patrick Bolger, Commissioner
Bruce Dickinson, Commissioner
William Harsch, Commissioner
Clifford Kurz, Commissioner

Absent:

Joseph McGrady, Commissioner

Also in attendance:

Town Administrator, Andy Nota
Executive Director Chief Mello
George Souza, Conservation Commission Liaison
Kim Devlin, Harbor Clerk & Recording Secretary

2. APPROVAL OF MEETING MINUTES

A. January 14, 2015

Commissioner McGrady moved to approve the minutes of the January 14, 2015 Jamestown Harbor Commission meeting. Commissioner Dickinson seconded. So voted (5 ayes, 0 nays, 1 abstention (Harsch)).

3. CONSENT AGENDA

No Consent Agenda.

4. EXECUTIVE SESSION

No Executive Session.

5. OPEN FORUM

A. Scheduled Requests to Address

No Scheduled requests to address.

B. Non-scheduled Requests to Address

No Non-Scheduled requests to address.

6. EXECUTIVE DIRECTOR MELLO'S REPORT

Executive Director Mello reported Public Works Director Mike Gray is here to report on the Ft. Getty pier and East Ferry ferry landing.

After Tropical Storm Sandy and dealing with the FEMA officials reviewing storm damage, the necessity of having the condition of the facilities documented became apparent. We are able to document the conditions of the East Ferry (steel)

pier because there were reports on the condition of the structure so we could get funding.

There are two reports before you regarding Ft. Getty. One is regarding the approach (access road) to Ft. Getty pier, which we could not get funding to repair. This document provides the town with the ability to quantify the cost of the repairs and to use as a base for any repairs that may need to be done in the future.

The condition assessment report was done by Sam (Patterson, Harbormaster) and the RT Group did the topside inspection. This report is the result of the inspection. The table 1 (summary) document includes everything from decking, stringers, beams and piles. They provided a nice summary of each of those elements that make up the structure. For the age of the structure (90 yrs) the pilings are in fair condition, which is good considering the age. There are things that need to be addressed, however. The structure is not going to collapse, but there are repairs that should be done. The engineer broke the project up into two phases. Public Works Director Mike Gray stated the plan is in the LRIP (Long Range Infrastructure Plan) if the Jamestown Harbor Commission decides to move forward with the project. At least there is a baseline for going forward.

Commissioner Bolger asked if there is there anything town workers can do.

Public Works Director Mike Gray stated that for the superstructure yes. Anything that requires a barge, no they cannot. But, the town employees can certainly work on the decking.

Commissioner Kurz questioned how much the town would save by having town workers complete certain portions?

Public Works Director Mike Gray stated it is difficult to quantify.

Commissioner Dickinson pointed out that, being a commercial pier, the decking may be too heavy for town workers.

Vice-Chairman McGuirl opined that the road should be repaired first.

Commissioner Dickinson asked what the pier will be used for. Will it be commercial or recreational use? The cost of repairs to a commercial pier are significantly greater than costs for a public fishing pier.

Executive Director Mello stated that Public Works Director Mike Gray is here to discuss the projects and we will get into funding later in the agenda.

Commissioner Bolger stated the project, including the causeway (access road), is not part of the asset inventory plan.

A discussion ensued.

Public Works Director Mike Gray presented the Jamestown Harbor Commission with the East Ferry ferry landing report. There are two options; the first includes building a timber deck to enjoy scenery with tables, etc. The second involves using what is there (large rocks) and repointing it, then placing a fabric and creating a surface with pavers and benches etc. The cost of option two is upwards of 400k.

Public Works Director Mike Gray questioned the feasibility of driving piles; because of the location and weather he is not sure the piles will hold. The second option is more viable.

Regarding the second option, Public Works Director Mike Gray does not think the scope is going to be 78'. At about 30' the stone is intact and the earth there. Beyond 30' it is rubble with large voids. We could never get it to a point where the earth would stay, so a good option is maybe half of option two. According to the estimates it is more on the line of 200k.

7. MARINE DEVELOPMENT FUND BUDGET

A. 2014/2015 MDF YTD Budget

The Marine Development Fund budget was presented to the Jamestown Harbor Commission.

8. HARBOR CLERK REPORT

Harbor Clerk Devlin reported on the wait list renewals.

9. LIAISON REPORTS

A. Conservation Commission Liaison

Conservation Commission Liaison Souza had nothing to report.

10. ONGOING BUSINESS

A. Budget

Commissioner Dickinson had nothing to report, but stated he would like to be relieved of his duties as the budget point person.

B. Facilities

Commissioner McGuirl had nothing to report.

C. Mooring Implementation

Vice-Chairman Cain had nothing to report.

D. Traffic Committee

Vice-Chairman Cain had nothing to report.

11. OLD BUSINESS

A. 2015/2016 Marine Development Fund Budget

Executive Director Mello requested the Jamestown Harbor Commission look at all three documents (Budget, LRIP and Rates). The first document, the proposed 2015-2016 budget, is proposing to remove highlighted fees, the outhaul, West Ferry outhaul, beach and pier revenues, and deposit the revenues into the waterfront capital account.

Executive Director Mello detailed the budget changes. With the commitment of the outhaul, beach and pier revenues an additional 26,700k is earmarked for infrastructure. Add the 26,700k to the lease amount and the total is 140k annually reserved for capital improvements in the waterfront reserve account.

We are proposing a 10% increase to the mooring rates, and moving fees not associated with moorings into the infrastructure account. Executive Director Mello stated he would like to get past those two things before we go further. We are limited by Harbor Management Ordinance, which states that the revenues must to go toward waterfront repairs and improvements.

Executive Director Mello stated the burden of funding capital infrastructure projects would not be that of the commission. This is a similar process that other departments go through in the town. For example, Public Works Director Mike Gray submits a list of projects to the council that he is recommending funding for and the council determines what to fund.

Commissioner Bolger stated that this (the MDF) is an enterprise fund. The town and MDF should contribute equitably.

Town Administrator Nota stated that if what Commissioner Bolger is saying is true then the board should support a 32% increase in mooring fees. In your (Commissioner Bolger's) evaluation, the town has spent one million on infrastructure projects over the last ten years. That is what drove the need to generate a 60k increase to fund projects.

In the capital program that currently exists all of the projects are nice, but not necessary, for public safety. The timeline could be to have them all completed over a ten year period instead of a six year timespan. What we would like to do is talk conceptually about options.

The goal is to stabilize rates, provide sufficient amount of resources to support capital needs and additional needs the council may determine. Those items the council determines may not necessarily be in the asset inventory. For example, the Ft. Getty access road. It may not be carved out in the asset inventory, but it is integral to access other sites in the plan, such as the beach where kayaks are stored and the Ft. Getty pier.

Town Administrator Nota stated he saw the pressure the Jamestown Harbor Commission was under, regarding setting the rates. The margins are much tighter and more appropriate in the new budget. Retained earnings will not produce the surplus that they have in the past.

A discussion ensued.

Commissioner Bolger stated he doesn't see how we (Jamestown Harbor Commission), as a group, can manage projects when ours are in the table and the councils are not. The plan Executive Director Mello presented would require an ordinance change.

Town Administrator Nota stated that the East Ferry boat ramp could qualify for funding. We could make an application to state for 50% funding.

A discussion on budget restructuring and project funding ensued.

Vice-Chairman McGuirl questioned whether, with the transfer of outhaul, beach and pier revenues into infrastructure account, that means we would have enough in the infrastructure account for projects that we would not need to raise rates next year. There should be adequate funds in the infrastructure account to fund projects going forward.

Town Administrator Nota stated that he would not see a need for a rate increase in the near future.

Vice-Chairman McGuirl clarified that if we approve the transfer and approve the 10% increase there would not be additional years of rate increases.

Executive Director Mello stated that Vice-Chairman McGuirl is correct.

Executive Director Mello stated that the proposed rates document details the impact of the 10% increase. The historical rates document shows how the rates have progressed over the last 15 yrs, for a historical perspective. It was noted that the rates 15 years ago were \$4/foot for resident mooring permits and \$8/foot for commercial and non-resident mooring permits.

Commissioner Bolger stated that this budget change is going to require an ordinance change.

Town Administrator Nota agreed; however, there are first other steps to go through. If the Jamestown Harbor Commission recommends what is proposed then yes, for the next fiscal year there would need to be Harbor Management Ordinance changes.

Resident William Munger questioned why all of the permit fees were not increased and just the mooring rates are increased. He asked why we aren't sharing the same increase across the board?

Executive Director Mello stated that the beach, outhaul, and pier rates were just increased.

Resident Donald Richardson stated that it is the responsibility of all taxpayers to take care of the land. How are the people that pay the mooring fees responsible for the seawall? What benefit do they receive?

Vice-Chairman McGuirl stated that that is an issue we are trying to resolve. The mooring holders money would not be used for infrastructure.

Executive Director Mello stated that the outhaul rates from 2000 to current have increased 25% over 14 yrs. Same thing for beach permits.

Vice-Chairman McGuirl moves to accept the new budget proposal that moves the outhaul, beach and pier funds into the infrastructure account with the 10% hike in mooring rates. Commissioner Harsch second. (5-0) Commissioner Dickinson recused.

B. 2015/2016 Long Range Infrastructure Plan

Commissioner Bolger stated that maybe we should take the East Ferry boat ramp out of Asset Inventory, since it is eligible for funding. He also asked for clarification on what Phase 1 of the Ft. Getty project would entail.

Executive Director Mello stated that Phase 1 of the Ft. Getty project would include repairing the bulkhead for the road and 40' of decking on the pier.

A discussion on the LRIP ensued.

Chairman Cain moved to include the 15k for the East Ferry steel pier assessment in the 2016-2017 budget and to remove the 15k from the 2017-2018 budget and to approve the amended long range infrastructure plan. Vice-Chairman McGuirl seconded. So voted; (6 ayes, 0 nays).

C. Harbor Rates

The harbor rates were voted on under item 11(A).

D. Aquaculture application - Pinheiro

Executive Director Mello stated, just so the Jamestown Harbor Commission is aware, at one point we had a meeting with

CRMC to discuss the aquaculture application. At that point he (Pinheiro) had two commercial permits to operate out of Ft. Getty. Since then, he has left Ft. Getty.

Executive Director Mello stated that he also learned that Mr. Pinheiro misportrayed the use of his vessels, as one was for personal use. Mr. Pinheiro received a discounted rate for registering his vessels for commercial use.

Executive Director Mello notified him (Mr. Pinheiro) the permit was void and he would not be allowed back at Ft. Getty. Executive Director Mello has since notified CRMC that we have terminated the permit. CRMC is not concerned about dockage.

Executive Director Mello stated that Mr. Pinheiro has filed an appeal.

Commissioner Bolger asked if Mr. Pinheiro has vacated Ft. Getty.

Executive Director Mello stated that, no, he has not but we have notified him that he is in violation and his vessel is considered abandoned. Executive Director Mello stated that he has spoken to a contractor about moving Mr. Pinheiro's vessel and he will be moving the vessel as soon as the weather permits him to do so.

12. NEW BUSINESS

A. Mooring Installer and Inspector list approval

Commissioner Dickinson moved to approve the mooring installer and inspector list. Chairman Cain seconded. So voted; (6 ayes, 0 nays).

B. Pumpout project summary

Executive Director Mello stated that the project is complete and we have received partial reimbursement. The project was not budgeted, but we took the opportunity because of the 75% funding. We had to rebuild the structure for the pump at West Ferry and at East Ferry there was electrical work that had to be done. The total project cost out of the MDF is \$12,283.

Commissioner Dickinson moved to accept the summary, Commissioner Bolger seconded. So voted; (6 ayes, 0 nays).

13. CORRESPONDENCE

A. CRMC – Re: Public Notice – Pinheiro aquaculture application; 1/8/2015

B. CRMC – Re: February 2015 Calendar; 2/5/2015

C. DEM – Re: Clark's Boat Yard Water Quality Certification; 2/5/2015

Vice-Chairman McGuirl moved to accept the correspondence, Commissioner Dickinson seconded. So voted; (6 ayes, 0 nays).

14. OPEN FORUM – CONTINUED

Resident Donald Richardson asked if the Jamestown Harbor Commission had anything to say about the state wanting to take the mooring fees away from the town?

Chairman Cain stated that he is on the email notification list if there is any action on the bill. Anyone can go to the state website and sign up for the email notifications.

Vice-Chairman McGuirl stated that there is not a matching senate bill, and DEM is not supporting it.

15. ADJOURNMENT

Chairman Cain moved to adjourn at 9:06 PM, Commissioner Bolger seconded. So voted; (6 ayes, 0 nays).

Respectfully submitted,



Kim Devlin
Jamestown Harbor Clerk