1. Packet

Documents:

MEETING AGENDA.PDF
MEETING MINUTES - DRAFT.PDF
HARBOR MANAGEMENT COMMISSION
Selectmen’s Office
101 Field Point Road
Greenwich, CT 06836-2540
203-622-7710

Frank Mazza, Chairman
Steve Kinney, Vice Chairman
Bruce Angiolillo, Secretary

Meeting Notice
Harbor Management Commission
Wednesday, April 20, 2016
7:00 P.M.
Mazza Room - Town Hall

AGENDA

1. Call to Order

2. Approval of Minutes
   March 16, 2016 Meeting

3. Election of Officers
   a. Chairman
   b. Vice Chairman
   c. Secretary

4. Update on Mianus River Dredge.

5. Discussion on DEEP Application at 89 River Road, Cos Cob. (Drawings enclosed).


7. Discussion on Proposed Rules and Regulations for Harbormaster Boat (copy attached)

8. Update on Harbor Management Plan
9. Old Business
   a. Ad Hoc Committee Report
   b. Peter Quigley motion on Harbormaster fees

10. New Business

11. Adjournment.

Frank Mazza
Chairman
Proposed Rules and Regulations of Harbormaster Boat for discussion by HMC.

1. Only person to operate the boat shall be the State Appointed Harbormaster for Greenwich. The boat shall be used for only those activities of the Harbormaster that are set forth in State Statutes, the approved Harbor Management Plan and any regulations that may be promulgated thereto. A representative of the Town of Greenwich may operate the boat with the prior approval of the HMC Chairman. All operators should have either a Ct. Safe Boating License or a USCG license.

2. Boat shall not leave the dock unless in proper operating condition and all required Coast Guard safety equipment is on board and in proper operating condition. The Harbormaster shall be responsible for the vessel once it is launched and turned over to him for the season.

3. Boat shall not be used to haul or drag for moorings and shall not be used to tow or give assistance to any vessel unless there is imminent danger to life or property.

4. No one other than the Harbormaster or Deputy Harbormaster shall be on the boat at any time without the prior approval of the Chairman of the HMC.

5. Harbormaster shall keep log on boat detailing date and time of all trips, purpose of trip, any passengers and results of trip. The log shall be submitted to the HMC monthly.

6. Any supplies or equipment required for use on the boat shall be requested by the Harbormaster through the Superintendent of the MFO Division of the Department of Parks and Recreation.

7. The Harbormaster boat shall be berthed at all times at the Town of Greenwich Marine Facilities at Grass Island. Slip assignment shall be at the direction of the Department of Parks and Recreation.

8. The boat shall be cleaned and all gear properly stored after each use. No personal use of the boat.
9. Alcoholic beverages are prohibited on the boat.

Dated April 6, 2016
Harbor Management Professional Service Requirements

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Section III  Requirements to be assigned

Section IV  CT General Statues in Brief and Backup

Ad Hoc Committee Report

Bernie Armstrong, Steve Kinner, Gary Silberberg

April 20, 2016
Harbor Management Professional Services Requirements (V7)

Section I

Harbormaster Must Do


2) Prepare a Greenwich Harbor Mooring Grid plan in conjunction with the Harbor Commission. (Ref HMP 7-24)

3) Assist the Harbor Commission with maintaining complete and accurate records of all mooring permits, collected permit fees, mooring locations and moored vessels (ref HMP-7-24) and CGS” The Connecticut Harbormaster”

4) Direct the relocation of mooring tackle from previously approved areas to maintain public safety and efficient use or mooring carrying areas (ref HMP 7-25)

5) Establish a plan to have all moorings inspected on a rolling three year cycle. Revoke in conjunction with the Harbor Commission any noncomplying permit. n.b. The HM does not need the HMC in order to revoke non-complying permits (ref HMP 7-25, CGS 15-8)

6) Supervise the placement of all mooring tackle and be responsible for the inspection of new mooring tackle. The HM will check the location of all deployed moorings to insure that they are in conformance with any permit he issues. The HM may inspect mooring tackle presented to him, but he is not required to do so. (ref HMP 7-25, CGS 15-8)

7) Cross check the location of all deployed moorings to insure that they are in conformance with the permit as issued. The HM may require moorings to be pulled for inspection but is not required to do so.

8) Review, remedy, and/or revoke any non-complying mooring permit (ref HMP 7-26-E)

9) Monitor and report on all hazards to navigation and other obstructions, and work with the Greenwich Marine Police, Coast Guard and the HMC and other agencies to remove them (CGS 263-15-9)

10) Work with the HMC in determining where new mooring areas (fields) may be placed.
11) Maintain an active position on HMC Standing Mooring Committee when established (ref CGS 263-15-8)

12) Survey all mooring areas, including depths to determine the best layout to maximize use of these mooring areas for boats of all sizes as part of the mooring inventory process.

13) Report on areas that will require dredging.

14) Report any unauthorized dredging or fill.

15) Conduct a weekly review of all aids to navigation in Greenwich Harbors (GHA), and work with the Coast Guard and HMC to remediate or improve any issues.

16) Review and report on all non-Federal aids to navigation such as racing marks, speed limits, sunken wreck marks.

17) Monitor all navigation fairways and channels to be kept free of mooring tackle and obstructions. Recommend restricted speed zones in conjunction with the Marine Police Department and the HMC (ref CGS 15-8, 15-9).

18) Track and report all unauthorized/unpermitted structures (including docks, floats, piers, bulkheads, pilings and mooring tackle (CGS 15-11).

19) Be responsible for the application and interpretation of the CT Boating Statutes covering the removal of abandoned vessels(15-8, 15-9 and CT abandoned Boat Laws)

20) All nonfederal (private) aids are required to be permitted and must comply with State permit statutes. (E.g. race marks, sunken vessels, speed limits etc.)

21) Operate the Harbor Master vessel for the purpose of conducting Harbor Master business.

22) Identify and notify the Greenwich Marine Police and/or owner of any boat that has broken loose from its mooring tackle or dock. Help secure any such vessels.

23) Attend regular meetings of the Greenwich Harbor Management Commission and make reports on safety, moorings, dredging, special events and other issues that occur within Greenwich Harbors or may be of interest to the Greenwich HMC.

24) Implement the Harbor Management Plan in concert with the HMC.

25) Maintain regular communications with the town, state and federal agencies concerning Greenwich Harbors
26) Operate and maintain the Harbor Master Communication System by cell phone, text, emails, VHF Ch 16 and the USPS.

27) Assist the Harbor Commission in preparing its Annual Review to be conducted at the end of each boating season (ref HMP 7-15)

28) Provide assistance to the Harbor Commission for preparation of its operating budgets (ref HMP 7-29)

29) Assist the Greenwich Marine Police, if requested, in taking any law enforcement actions and provide a written statement of said matter and shall make he/she available for any related hearing of judicial proceeding. Notify the Greenwich Marine Police of any vessel docked, moored or anchored in an unsafe manner (ref HMP 7-26-4)

30) Notify the Greenwich Marine Police of any unseaworthy, badly deteriorated, or derelict vessel and make a diligent effort to contact the owner of such vessel. Order the removal of the vessel. (ref HMP 7-25-5).

31) Attend meetings called by the Harbor Commission to review any grievances brought forth as a result of a decision made by the Harbor Master (ref HMP 7-16)

32) Perform all duties in a manner consistent with the Greenwich Harbor Management Plan as well as State statutes and Federal regulations.

33) Attend meetings of the Connecticut Harbormasters' Association.

34) Maintain routine contact with the United States Coast Guard.

35) Provide written notice to all individuals on the Mooring Waiting List when a suitable mooring becomes available. A method is being developed as part of the Mooring Regulations.

36) Supervise the Deputy Harbor Master if appointed

37) Notify all mooring permit holders of any fines being levied for violation of Harbor Commission Regulations. If it is the HMC that is fining the permit holder, then the HMC should notify the violator (fine $250/day?)

Harbor Management Professional Services Requirements (V7)

Section II

Commissioners “must do” or contract to get done.
1) Maintain routine contact with the State’s Department of Energy and Environmental Protection (Mr. Robert Klee et al) effective 7/1/16, and the Department of Transportation through 6/30/16.

2) Maintain routine contact with Town of Greenwich departments and agencies including Coastal Site Planning that have interest or authority on matters on or near Greenwich Harbors...

3) As necessary, make reports to Municipal, State and Federal authorities regarding adherence to regulations, statutes and Federal laws and International treaties. (e. g. clean marinas, no-discharge zones, clean water act and MARPOL).

4) Assist in reviewing and drafting all regulations concerning mooring tackle and anchoring of vessels as well as records for all mooring tackle.

5) Participate in any meetings scheduled by the Coastal Site Application Review Committee, Planning and Zoning, Conservation, Shellfish etc.

6) Implement the requirements for the administration of all mooring locations in Greenwich Harbors.

7) Provide marking decals or tags with individual permit numbers to be attached to all moorings deployed in Greenwich Harbors. Process to be defined in the HMC mooring regulations.

8) Provide written notice to all individuals on the Mooring Waiting List when a suitable mooring becomes available. A method is being developed as part of the Mooring Regulations.

9) Implement procedures and requirements for administration of all mooring locations in Greenwich Harbors.

10) Maintain in town hall a complete and accurate full file of all mooring inspection reports and flag any not meeting requirements to the commission.

11) See that all moorings are inspected by a qualified mooring vendor. Not a HM responsibility. Applicant must show a three-year inspection on their renewal applications.

12) Maintain a Mooring Waiting List in Town Hall (ref HMP 7- xxx))

13) Maintain a list for the Harbor Commission of all individuals and businesses that are approved by the Harbor Commission to conduct mooring inspections. This is a Town responsibility; however the HM can refer the public to where such a list is maintained. Review and initial all completed Mooring Inspection Reports. This is basically in the approval of a permit application (ref HMP 7-25)

14) Notify all mooring permit holders of any fines being levied for violation of Harbor Commission Regulations. If it is the HMC that in fining the permit holder, then the HMC should notify the violator.
15) Review and comment on proposals for dredging, filling or placement of structures in Greenwich Harbors.

Other Harbor Management Responsibilities to be assigned

Section III

1) Maintain a master schedule of all activities in Greenwich Harbors (ref HMP 7-29-13)

2) Work with the Police Department to see that any and all boating state boating laws with the jurisdiction of the Greenwich Harbor Commission are implemented.

3) Provide information concerning boating laws, regulations, and ordinances to the general public. May give advice, but best to direct the public to the State website or provide printed copies of the boating regulations.

4) Help find transient dockage/moorings for visiting vessels. (consider assigning to the Harbor Master)

Harbor Management Professional Services Requirements (V7)

CT General Statutes in brief and Backup

Section IV

1. (Sec 22a-113k) Harbor Management Commissions

Any municipality having within its borders navigable waters may establish a harbor commission.

The harbor master may be a non-voting “ex-officio” member of the harbor commission.

The harbor commission may include one member from each of the following. Planning and Zoning, Conservation, Shellfish and the Flood Control Board.

2. (Sec 22a-113/) Powers

Any commission established pursuant to 22a-113k is authorized to enter into contracts, employing consultants, and other assistants and to receive funds for equipment, supplies and staff.

3. Chapter 444a (Sec 22a-113r, 113s Mooring and anchorage Permits

Upon adoption of the plan no mooring or anchorage shall be placed in the harbor without a permit from the harbor master for the municipality. Permits granted by the harbor master shall expire on Dec 31st
each year. The harbor master shall keep a record of the location of each mooring and anchorage for which a permit has been issued.

The harbor master shall enforce any ordinance adopted by the municipality to implement its plan.

4. **Chapter 444a (Sec 23a-113s) Permit fees.**

The commission may propose a permit fee schedule to be adopted by the legislative body of the town. The maximum annual fee shall be $200. The harbor master shall collect such fees. Any fees collected shall be deposited into a special fund maintained by the municipality.

This fee shall be used for the maintenance and improvement of the harbors for public use, and for expenses for personnel and equipment directly related to the function of the commission and the harbor master.

5. **(Sec 15-8) CT Chapter 263 General Statutes. Power to station vessels**

Each harbormaster may station all vessels in the harbor under his care.

The harbormaster may make room for the passage of other vessels in the waterways if a vessel is obstructing the waterway.

Exception: If the vessel is receiving or discharging cargo.

The harbor master shall be the sole judge of whether any vessel so anchored obstructs or hinders the passage of other vessels.

The harbor master may determine how far within a harbor the captain may move the offending vessel.

The harbor master, upon application to the owner or lessee of any dock, wharf or pier, may remove any boat from a dock, wharf, or pier to make room for the dockage or passage of any other vessel when in his judgement it would be in the best interest or commerce, navigation, or public access (e.g. the pump out station).

Any person who obstructs or refuses to obey the order of the harbor master regarding such vessel risks the vessel being attached and all forfeitures (less expenses) will be determined by the court rendering judgement. Any collections are to be paid to the general fund.

Any person who obstructs or refuses to obey the order of the harbor master in the duties of his office is subject to a $250 fine per diem. (To be confirmed)

6. **(Sec 15-1) Harbor Masters**
The Governor shall appoint a harbor master in any town in the state that has navigable waters within its limits provided that the municipality has a harbor management plan.

Appointments may be for a term of 3 years starting July 1st each year. Harbor masters shall have general care and supervision of the harbors and navigable waters over which they have jurisdiction subject to the direction and control of the CT Commissioner of Transportation.

The Commissioner may delegate any of his powers and duties under this chapter to the harbor master or to the existing board of harbor commissioners.

7. **Sec. 15-2. Compensation of harbor masters.** Harbor masters shall receive a salary to be determined by the Commissioner of Administrative Services, subject to the provisions of section 4-40 and shall be reimbursed for necessary expenses incurred in the performance of their duties.

8. **Sec 13b-51 Jurisdiction over harbors and navigable waterways.** Harbor masters appointed by the Governor under section 15-1 shall be subject to the direction and control of the commissioner, and shall be responsible to him for the safe and efficient operation of the harbors over which they have jurisdiction.

9. **Chapter 263 Sec. 15-9 Vessels may be removed**

   When the captain or owner of any vessel lying within the navigable waters of Greenwich Harbor willfully neglects or refuses to obey the order of its harbormaster the harbormaster may cause such vessel to be removed at the expense of the owner.

   Any captain or owner in violation of this section shall be fined $85 per diem?

   The harbor master may notify any officer attached to an organized police department that a captain or owner is in violation of this subsection.

   The police officer may remove and take such vessel into custody and store it.

   Such vessel may be sold after 15 days if under $500

   Such vessel may be sold after 90 days if over $500

   The Board of Selectman (CEOs) may appoint a hearing officer to hear applications to determine whether or not the taking was authorized under the provisions of this section. Need to define who has this responsibility.
10. Source: The Connecticut Harbormaster (on state website)

Harbormasters have a distinct and essential role for ensuring public safety and managing waterways in the public interest.

The Harbormaster is responsible for maintaining an orderly haven for all vessels from commercial boats to canoes so they may co-exist in safety and harmony.

Sec 15-1 specifies that the Harbormaster is responsible for the general care and supervision of the harbors and waterways.

The Harbormaster is subject to the direction and control of the Commissioner of Transportation (John Radeker). Transfers to DEEP Robert Klee on July 1, 2016. (CGS 13-b51)

The Harbormaster is responsible safe and efficient operation of the waterways in accordance with the CT General Statutes.

The Harbormaster must work closely with a number of Federal, State and local agencies plus

- Army Corp Engineers
- US Coast Guard
- DEEP
- Harbor Commission
- Local police and fire departments
- Shellfish Commission

One important responsibility is to keep navigation channels and fairways clear of obstructions.

The Harbormaster is empowered to enforce the CT General Statutes concerning the removal of abandoned and derelict vessels.

The Harbormaster is responsible for the assignment of mooring locations and administration of mooring permits.

The primary agency for granting Federal approval of mooring locations is CT DEEP and has delegated approval authority for the installation of noncommercial moorings to the harbormaster.

The harbormaster is authorized to assign mooring locations and require mooring users to apply for mooring permits. The harbor master must maintain records that include mooring GPS co-ordinates, permittee name, boat name, type and length.

The harbormaster’s local knowledge is a valuable resource to assist various Federal and State agencies (CGS Sec 15-1 and 444a, CGS 22A 113r) state that no mooring may be placed in our harbors without a permit from the harbormaster. It should be noted that without a plan there is no enforcement. With a state approved plan there is.
CGS Section 22a-113s charges the harbormaster with collecting any fee established by the town (up to $200) for an annual mooring permit.

The fee must be deposited in a special municipal fund that may only be used for maintenance and improvement of the harbor for the public and for personnel and equipment directly related to the functions of the harbor commission and the harbormaster.

CGS 15-154 empowers the harbormaster to enforce State boating laws, by informing local law enforcement authorities rather than becoming directly involved.

- Other harbor master duties include;
- Promptly reporting chemical or oil discharges to local marine police who will report it to the Coast Guard and DEEP.
- Make periodic reports to the Coast Guard regarding improvements of buoy locations and channel dredging.

The harbormaster is a State Officer and as a consequence is generally protected from liability and is entitled to indemnification and representation for acts performed in the discharge of his duties, provided acts are not wanton, reckless, or malicious.

11. (Sec 14-57) Abandonment of vessels amends CGS 15-140c

A boat is considered abandoned when;

1. Left on someone’s property for more than 24 hours without property owner’s permission.
2. Found free floating and unattended for more than 24 hours.
3. Improperly registered and left in state waters for more than 24 hours.
4. Left on a mooring for more than sixty days since mooring payment became overdue.
5. Left at a commercial facility for more than 1 year after payment was overdue
6. Found on a public right of way during a public emergency.

Who has the right or “standing” to submit a claim for an abandoned boat?

1. The owner of property where boat was abandoned
2. Any harbor master, police department, municipality or agent of the state.
3. Any emergency responder in process of responding
4. Any licensed motor vehicle dealer or marine salvager who is engaged in tow or transport.
5. The law cannot be used for abandoned boats currently documented by the USCG.

11. (Sec 15-140) Special Acts and ordinances superseded

All special acts and municipal ordinances inconsistent with the provisions of this part are superseded and shall be of no force or effect.
12. (Sec 15-140b) Marine Parades, Regattas, Races

Written permission shall be obtained from the commissioner at least thirty days in advance for any marine parade, regatta, race, tournament or exhibition to be held on state waters, as defined in section 15-127, or, by agreement between the United States Coast Guard and the commissioner, on federal waters, as defined in said section 15-127. The commissioner may grant season permits. Any person who obtains such permission shall be responsible for providing reasonable protection as prescribed by the commissioner and for taking reasonable precautions to safeguard persons and property. During any authorized event, the commissioner may require the person conducting it to conspicuously display one or more warning flags, warning buoys or warning signs as prescribed by the commissioner. When such warning devices are displayed, no watercraft not participating in the event shall cross the course or area of the event, except in an emergency. The warning devices shall be removed for reasonable periods of time during the event to allow nonparticipating watercraft to pass through the area. Any person who violates any provision of this section shall be subject to the penalty in subsection (b) of section 15-139.

13. (Sec. 13b-51). Jurisdiction over harbors and navigable waterways. Harbor masters appointed by the Governor under section 15-1 shall be subject to the direction and control of the commissioner, and shall be responsible to him for the safe and efficient operation of the harbors over which they have jurisdiction. Nothing in this chapter shall be construed to limit or in any way derogate from the powers and authority of the Commissioner of Energy and Environmental Protection under title 25.
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 Kinder, 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.

   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               Mike Van Oss
Chairman                        Secretary

Penny Monahan assisted the Secretary in the preparation of the minutes.
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
Greenwich Harbor Management Commission
April 20, 2016

Resolution:

It 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 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
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.
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.
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, its 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: ____________________________