

Minutes of the
Town of Gosnold
Harbor Management Committee
November 6, 2023

Item 1. (Call to Order) A hybrid meeting of the Town of Gosnold Harbor Management Committee via Zoom teleconference and in person at Town Hall on Cuttyhunk Island was called to order at 10:36am. Present were Harbor Committee Members Ralph Cataldo, Paula DiMare, Seth Garfield, Lexi Lynch, Leo Pierre Roy, Win Sanford, and Lisa Wright, representing the entirety of the Committee. Also present for portions of the meeting were Wharfing/Harbormaster George Isabel, Mooring Collector/Assistant Harbormaster Dale Lynch, Selectboard Member Gail Blout, Treasurer Sarah Smith, Susan Nilson and Mack Bryan from Foth Infrastructure and Engineering, Alden Anderson, Dee Garfield, Duane Lynch, Carlyn Nunes, Wayne Perrier, Sean Uiterwyk, Bonnie Veeder, Jenn Warr, and Nancy Wilder. Chairman Roy confirmed that the Committee members could hear the discussion and be heard.

Item 2. (Accept Minutes) Seth Garfield moved acceptance of the minutes of the meeting of September 29, 2023 as written and distributed. Chairman Roy said that Dale Lynch had noted an error with regard to the payment from Harbor for water, and that it would be corrected. The motion on the corrected minutes was seconded by Paula DiMare. Dale Lynch said that he was under the impression that there was supposed to be a Town reimbursement of \$5,000 annually from Harbor to the Water Department, but that he learned from the Treasurer that the payment wasn't being made. Mr. Roy explained that the annual Harbor operating budget currently has a \$500 line item for water. He said that many years ago, before we started getting a water bill for the Fuel Dock to cover the incidental cost of the boater's taking water at the Fuel Dock, there was a Town Reimbursement of \$400/year. He said that it was moved to the operating budget sometime before 2005, and that we now pay the water bill for that meter. He said that for 10 years Harbor made a \$10,000/year contribution towards the debt service for the water tanks, but that was not really justified by the quantity of water the boaters on the moorings use. Mr. Roy said that there are a series of Town Reimbursements totaling \$90,000 in the Harbor budget, but water is not one of them. He said that the confusion might have been that the annual Wharf budget has a line item of \$5,000 for water to cover the cost of the Marina's metered use water bill, which includes the Public Toilets Building.

Dale Lynch asked if Harbor/Wharf should be contributing to the debt service for the new water project as the Marina is such a significant water user. Mr. Roy said that the Selectboard/Water Commissioners discussed that, and determined that the debt service would be paid for 80% by the water users and 20% by the taxpayers/General Fund. Mr. Roy said that all profits from the Moorings/Marina went into the Town's General Fund, so it was all the same money that covered the Town's portion of the debt service. He

said that as the largest water customer the Marina was paying its fair share for the boater's water usage, and its portion of the debt service, like all other Water customers.

There being no further discussion, the motion to approve the revised minutes passed unanimously.

Item 3. (Review Mail/Bills) The Committee was in receipt of an invoice from the Cuttyhunk Historical Society for its portion of the printing costs for the information filer distributed to visitors (\$338). Dale Lynch said that it was well worth it, and well received by the boaters. The Committee approved the invoice.

Item 9. (Old Business- Compliance with Vendor Rules) This item was taken out of order. Mr. Roy said that he had been asked by the Committee to contact Will Stone/Henry DeVoe and Bonnie Veeder about their violation of the vendor rules by closing their businesses before Labor Day. Mr. Roy reported that he had emailed Stone and DeVoe, but did not yet have a reply, although he found an email from Mr. Garfield when the Committee was deliberating granting a spot to the young hot dog vendors saying that they would have to close before Labor Day to go back to college, so their early closing was known to the Committee before we granted them a location. Mr. Roy said that he spoke to Bonnie Veeder, who is present today, and learned that she had extenuating circumstances beyond her control, including the failure of her freezers, and a serious illness in the family, which caused her to close early. Mr. Roy said that he was comfortable with the reasons for the early closings in both cases, and that we could consider the matter closed. Carlyn Nunes said that she thought that the Committee wasn't being fair by telling people on the dock how to run their businesses. Mr. Roy said that the Committee's thinking was that if we're going to take up space in the public parking lot for private businesses, they should be something that serves the residents and our visitors. He said that's why we had special rules just for the vendors in the parking lot, not on the Fish Dock, requiring them to be open from late June through Labor Day, be open for a reasonable number of hours, and publicly post their operating hours.

Bonnie Veeder said that she'd like to say that she understands that we have to have rules, but we have to understand that businesses need staff to operate, and can't be open 24-7. She said that it's very difficult for all island businesses to keep employees late in the season, and that everybody loses staff as they go back to school. She said that it makes no sense to open before the end of June because before that there's no business. Ms. Veeder said that it rained for half of August and the Marina was empty, with only 8 days of sun the whole month. She said people don't buy ice cream when it's pouring rain. She said that she can't scoop ice cream herself anymore with her arthritis. She said that the Committee should look at each business individually.

Lisa Wright said we all know that it's a very short season, and business is dependent on the weather. She said that we put the rules in place so that someone wouldn't occupy a spot and then never be open. Wayne Perrier said that he can't stock up on ice cream if they can't sell it. He said that there are minimum quantity purchase requirements and

they can't sit on inventory all winter. Ms. Wright said that she thought we should take another look at the rules.

Mr. Garfield said that if we go back 15 years the Committee had a plan to upgrade the Marina facilities and the amenities to attract more visitors, including creating spots in the parking lot for more food vendors. He said that the plan has worked, perhaps too well. He said that we have some crazy weekends when everybody runs out of inventory. He said that we had to support each other. He said that there are always extenuating circumstances on Cuttyhunk, and that we all struggle with a lack of staff. We said that Cuttyhunk has become a destination for visitors, and we're seeing more and bigger boats. Mr. Garfield said that we sometimes feel like we're at a breaking point.

Paula DiMare said that she was down at the dock Labor Day weekend, and many, many people were asking why the ice cream stand was closed, and why there was no explanation. Ms. Veeder said that Labor Day is her last day, and that she can't have excess inventory. She said that things were even worse because her freezers let go, but that it's always a balancing act with managing perishable inventory. Ms. DiMare said that people were very sad that there was no ice cream on the island. Mr. Garfield agreed that we should take another look at the rules.

Duane Lynch said that he loved the come together feeling about working together, but he asked why we have rules if they're not going to be fairly enforced. He said that he had to pay a \$350 fine for breaking the rules. He said that his business was shut down for cooking a donut. He said maybe we should get John McCusker back to really break the rules. Mr. Roy said that we do try to be fair, and that the fine Mr. Lynch paid was a mutually agreed upon resolution to solve a situation of his own making by his building a building that did not meet the size restriction. Mr. Roy said that we could have been sticklers and made him rebuild his building, but instead we demonstrated great flexibility by changing the rules in his favor to accommodate the building he built. Mr. Roy said that we changed the rules to prohibit lighted signs, and Ms. Veeder had to comply. Selectboard Member Gail Blout said that she felt strongly that there needed to be rules, but that we needed to be flexible in enforcement, because there are always unexpected issues on Cuttyhunk.

Duane Lynch said the opening and closing dates are not unexpected. He said that it was because people were taking up space in the parking lot but not opening until after July 4th that the rule was established. He said that he and Lexi were "on the front lines" answering visitors' questions all day long with no answers as to why the businesses weren't open. He said that having a variety of businesses on the dock brings more business to everyone, but that they should comply with the rules.

Ralph Cataldo said that he agreed with Ms. Wright and Mr. Garfield that we could add some flexibility on opening and closing dates in our rules. He said that we had a vision in 2009 of an active waterfront, and we have grown revenues by 43% since that time. He said that all the businesses combined bring people to Cuttyhunk, and that overall we have great customer service. Mr. Cataldo said that he's in favor of tweaking the rules,

but we need some consistency in operating hours and we need to communicate this to the public. He said that residents and visitors are now able to count on getting a coffee at 6am, and an ice cream cone at 8pm. He said that everybody has done a great job, and we've made Cuttyhunk a boater destination. Win Sanford agreed and said that businesses needed to post their hours and stick to them.

Lexi Lynch said that she completely agreed that we should all pat each other on the back, but said that she's answering questions about the other businesses all day every day. She said that they should be required to post their hours and be open those hours. She said that she felt very strongly that because she and Duane paid a fine others should be fined, or their fine reimbursed. Mr. Garfield said that these are two very different things. He said that Mr. Lynch ignored the rules by building too big a building, and we agreed to allow him to keep the bigger building if he paid a fine. He said that Ms. Veeder was forced to close her business a few days early due to circumstances outside her control. Duane Lynch said that everybody should abide by the rules. Ms. Wright suggested that we have a separate meeting to take up a review of the rules. The Committee agreed. Ms. Nunes said that people on Cuttyhunk are known for being helpful to each other. She said that she agreed with Ms. Wright and Mr. Cataldo that every business had its unique problems that we should consider, and that we shouldn't fight with each other.

Item 6. (Project Update- Marina Reconstruction) This item was taken out of order. Mr. Roy reported that we had two interrelated projects going on with Foth: 1) the conceptual redesign of the marina to floating docks, and 2) a dredging plan for the harbor. He said that we needed to complete the dredging plan by June 30, 2024, and to do that we needed to make some decisions about the extent of any future marina reconfiguration. He reminded the Committee that we had looked at several iterations of new marina layouts at our January meeting, and had a very healthy discussion. He said that we had asked Susan Nilson of Foth to prepare the two plans that we discussed, a marina layout of roughly the same size, and one with a modest expansion. He said that we had both plans in front of us for discussion.

Wayne Perrier said that the proposed expansion would not work without the new higher voltage transmission line from the Power House, because there wasn't sufficient power available at the Marina. Mr. Roy agreed, and said that he thought that we should be installing the new line whether we expanded the Marina or not, and that the boaters should pay for it through higher electric fees. Mr. Garfield asked Ms. Nilson what would happen to the floating docks in a three day Nor'easter in the winter. She replied that they had more modelling to do, but that she expected that wave attenuators would be needed to dampen the potentially destructive wave action. Mr. Roy said that the expanded proposal added 28 rental slips, a 50% increase, plus about 8 more resident slips. Mr. Garfield said that this expansion would translate into a 50% increase in trash generation, toilet use, medical calls, and water and electricity consumption. Ms. Wright said that she thought it seemed like overkill to add so many new slips. She asked where we saw the island in 20 years, and worried that our infrastructure just couldn't handle much more growth.

Jenn Warr expressed concern that the marina expansion would encroach into the area south of the channel that the Cuttyhunk Yacht Club used for sailing lessons. Mr. Roy replied that it was a big area, and that there would still be plenty of room. Ms. Nilson suggested that we could eliminate the southern portion of the eastern most dock to reduce the number of new slips. Mr. Garfield asked if we had any obligation to maintain the seaplane float. Ms. Blout replied that if we eliminated the seaplane base it would be very difficult to reestablish one and Mr. Roy concurred. Duane Lynch said that he didn't miss the seaplanes. Mr. Garfield said that the marina expansion would be great for the local businesses, but that on some busy summer weekends the businesses can't keep up with the current demand. He wondered if more boats would detract from the charm of Cuttyhunk. He noted that Monday through Thursday the Marina was only about 30% occupied. Ms. Wright said that more boats would add to the light pollution, which was already bad. Paula DiMare said that the proposed large expansion was too large, and that the island couldn't cope with that many more boats.

Mr. Cataldo said that this conversion to the floating docks was very expensive, and that if we did it, with the associated dredging, it probably made sense to do a small expansion. He said that we definitely needed more resident slips now but they don't bring in much revenue. Duane Lynch suggested that we put this project on the back burner to allow the Town to recover from the recent string of big projects including the water distribution system, Fuel Farm, and Coast Guard Boat House Visitor Center. He said that we needed to focus on fixing the solid waste management system and replacing the roof on the Fish Dock. Ms. Wright asked about the cost and time frame for the Marina reconstruction, saying that she didn't want to spend a lot of time talking about something if it wasn't going to happen.

Mr. Roy said that the permitting would take several years, and that we would need to secure federal grants because it was a very expensive project (\$6-8 million) and the Town did not even have the capacity to raise matching funds. He said that with sea level rise the docks were already underwater at extreme tides, so we needed to do something to accommodate climate change impacts, and that there was funding available to help. Ms. Nilson said that Foth would prepare a memo for the Town which would outline the timeframe. She said that permitting would take 1-2 years, if expanded dredging would even be permitted due to our eelgrass beds, Ms. Blout said that we needed to complete the dredging study by the end of the fiscal year. Alden Anderson requested that we make a presentation on the proposed Marina expansion to a wider audience, perhaps at the annual Town Meeting, and get input from the voters. He said that this could make a big impact on the Town, and reminded us about the big fight (and lawsuits) about a marina expansion on Block Island. Mr. Roy said that we could consider an advisory presentation at Town Meeting.

Item 4. (Wharfinger Report) Mr. Isabel said that he had no further update since the last meeting.

Item 5. (Mooring Collector Report) Mr. Roy thanked Mr. Lynch for circulating a very detailed written report to the Committee prior to the meeting, which he summarized. He said that Mr. Lynch reported that the moorings and navigation buoys had been pulled, pressure washed and stored in the Solid Waste Enclosure. Mr. Lynch wrote that the new white plastic winter mooring buoys with reflective tape have been installed, and that we wouldn't be using winter sticks any more. He reported that all Town owned floats have been pulled, pressure washed and stored at the Marina parking lot as usual. Mr. Lynch wrote that the Town owned parking lot down at the Ferry Landing had been cleaned up and materials inventoried and neatly stored inside the Solid Waste enclosure. He wrote that all harbor related inventory that was historically stored within the Coast Guard Boat House has been removed. His report indicated that unused junk was disposed of properly, and useable items stored within the confines of the Solid Waste enclosure. He reported that the Town boat would soon be going to F.L. Tripp's for evaluation.

Dale Lynch reported that the final mooring collections for the 2023 season were \$182,236.00 for the period from May 15, 2023 to Oct. 15, 2023. He said that his list for the winter included constructing the three floats for the Fuel Dock, and hauling, inspecting, and performing misc. repairs and painting as required for the Water Taxi float. He also said that he hoped to work with Mr. Roy over the winter on expanding the mooring field grid spacing.

Mr. Lynch said that he had sent an email to Mr. Roy, Mr. Milanoski, and Ms. Blout about a drum of apparent waste oil from the Fuel Farm project that was stored in the Coast Guard Boathouse. Ms. Blout said that she would make sure that SRS removed it when they were next on the island. Lexi Lynch asked about what we wanted done with the picnic tables on the dock: left in place or stored someplace. Mr. Garfield offered to move them to be stored behind the Public Toilets Building so they would be out of the way if we had a Nor'easter this winter.

Item 6. (Project Update, continued- Public Toilets) Mr. Roy said that he had just received the proposed design of the Public Toilets Building from architect Will Saltonstall this morning, and that there were copies for people to look at. He said that the design was built from the "inside-out", and the shape and size reflected the interior function. He said that the newly designed building would be significantly wider than the existing bathrooms, but less deep. He said that we might need to relocate one of the vendors to the site of the old First Aid Shack. The sense of the Committee was that the building was too wide, and that they didn't want to move the vendors. Ms. Wright suggested that we eliminate a stall in each of the Men's and Ladies sides, and eliminate the storage room on the west side to shorten the building, moving the east side storage room door to the south wall. Win Sanford suggested that with the storage room on the west side eliminated we could wrap the accessibility ramp around that side of the building so it wouldn't stick out. Ms. DiMare said that the building could be as deeper if needed. Mr. Roy said that he would ask the architect to make the requested changes and circulate a revised drawing for Committee review. Mr. Cataldo provided a list of

recommendations including adding more light and eliminating vents to prevent potential rain and snow infiltration.

Item 7. (Treasurer Report) There was no report.

Item 8. (Selectboard Update) Ms. Blout said that she had nothing to report at this time.

Item 9. (Old Business- Fee Increase) Mr. Roy reminded the Committee that we had had a very good conversation about potential fee increases at our last meeting, and had achieved some consensus, but agreed to defer the decision to this meeting so we could think more about it, and collect some additional data. He thanked Mr. Sanford for again doing the research on what other marinas in the area charged for slip fees, water and electricity, and also their cancellation policies. He said that Mr. Sanford had circulated that information to the Committee. Mr. Garfield asked if we raised the rates by \$1, could some of that increase be used to support the Water and Electric Light Departments. He said that he liked the fact that a portion of the mooring fees went directly to reimburse Town departments. Mr. Roy replied that Town reimbursements were used for contributions to offset the use of Town resources where the boaters on the moorings weren't directly charged for those services. He said that the Marina was different, as it was charged for the metered use of water and electricity used by Marina customers. Moreover, he said that all Marina revenue went directly into the General Fund, and was fungible with tax revenue.

Mr. Cataldo said that he had reviewed the 2023 mooring revenues with Dale Lynch, said that he met several time with George Isabel to confirm his sources of revenue and asked Treasurer Sarah Smith to confirm the overall Marina revenues by November 15. He said after 14 years of summarizing our revenues that he estimated our total revenue for the season at \$555,000, a 9% decrease over last season. He said that this wasn't surprising given the weather. He said that we had an average income over the past three years of \$602,000. He said that he supported the \$1/foot increase in the dockage fee, and \$5/night increase in the mooring fee. Mr. Cataldo said that it was a 28% increase, which with reasonable weather should result in approximately \$84,000 more revenue to the Wharf budget, and approximately \$20,000 more revenue to the Harbor budget. He said that he supported a change to our cancellation policy, given that we had over 550 cancellations this season, which would potentially bring in more revenue.

Mr. Roy summarized the fee increases: Nightly dockage fee from \$3.50/foot to \$4.50/foot (plus \$5/night environmental fee); nightly mooring fee from \$50/night to \$55/night (plus \$5/night environmental fee), electric charge to \$30/night for 30amp service, and \$50/night for 50amp service. Mr. Cataldo wondered about the increase of the electric hookup fee in addition to the dockage fee increase. He suggested that we keep it simple. Mr. Sanford said that he was comfortable with the increase, and that if people complained we could remind them that we generate our own electricity on island, and that it was solar-powered. Mr. Roy said that he had researched coin-operated water dispensing equipment and thought that it would be a nuisance to install and maintain these machines. He suggested that we consider water included in the

dockage fee for Marina customers, and ask the Wharfinger and assistants to keep an eye on excessive water use. He suggested that we ask the Fuel Dock operator to either charge a flat fee (\$5) for boats filling up at the Fuel Dock, or to add a water meter and determine a fair rate. Ms. Wright wondered whether the dockage fee increase would push Marina customers out to the moorings. The sense of the Committee was that there are different customers for each, and that the Marina customers were not terribly price sensitive. Mr. Roy said that the cancellation policy is currently 24 hours, or the first night's rental is forfeited. He observed that weather forecasting is much better these days, and that the cancellation period could easily be extended to 5 or 7 days. Ms. DiMare said that she supported a 7 day cancellation policy, and Ms. Blout and Mr. Isabel agreed. Mr. Garfield moved acceptance of the fee increases outlined by Mr. Roy, with a 7 day cancellation policy for the Marina. The moorings remain on a "first come, first served" policy. The motion was seconded by Ms. DiMare and passed unanimously. Mr. Roy again thanked Mr. Sanford for his helpful research.

Item 9. (Old Business- Fuel Farm) Selectboard Chair Gail Blout provided an update on the Fuel Dock and reported that contractor SRS was going to be on the island Tuesday and Wednesday to address Punch List items. She said that Denny Lynch had brought over the concrete and gravel and that Don Lynch was going to use to fix the erosional area at the transition point where the pipes go from being undergrounded to being above ground. Duane Lynch said that there were additional items for SRS to fix, as Pump #4 was not operational, and Pump #6 also has an issue. He said that some safety equipment was still needed, including a life ring and an AED. Ms. Blout said that they were hoping to get everything completed by November 17.

Item 9. (Old Business- Other) Mr. Garfield said that now we have addressed the Marina rates we should probably also look at the rates for the resident slips, which are quite low. He said that the Town paid a lot to maintain the floats, but that boats that had slips on floats paid the same rate as those on the fixed pier. He said that he was also concerned about resident's use of the power posts, as the visiting boaters paid a nightly fee to plug in, but users of resident slips didn't. He reported that John Adams and Dan Wiggins were regularly plugged into the power posts in the summer. Mr. Roy said that he wasn't aware of that, and that we should be charging for resident use of the power posts. He said that all power posts should be shut off in the off season. He said that he expected that winter residents might need block heaters for their boats, but that they should take the power from their shacks. Mr. Garfield said that he knew of at least a couple of boats that were kept warm so they were ready to go in an emergency. Mr. Cataldo said that Dan Wiggin was selling his boat and downsizing to one that he believed did not need power.

Item 10. (New Business) Selectboard Chair Gail Blout reported that the US Army Corps of Engineers had received three bids for the maintenance dredging of the channel, and that they expected to award a contract for the work to be done this winter.

Item 11. (To Do List Update) Mr. Roy reviewed the "To Do" List.

Item 12. (Public Comment) There was no further Public Comment.

Item 13. (Adjournment) Chairman Roy proposed Friday, January 12, 2024 at the offices of the Buzzards Bay Coalition in New Bedford for our next meeting, which was agreeable to the group. Mr. Garfield moved to adjourn the meeting, and upon a second by Ms. DiMare, the motion was passed unanimously at 12:40pm.

TO DO LIST:

1. Mr. Roy to write a letter on eelgrass regeneration to the regulatory authorities, once Mr. Garfield and Foth completed the survey.
2. Mr. Roy and Dale Lynch to develop a layout of the mooring grid to create greater spacing between the boats, for review by the Committee.
3. Mr. Garfield to look at the availability of temporary mooring locations in the Yacht Club area to see if we have a spot for Chip Bradish.
4. Mr. Garfield to borrow a lift to repair the flag pole.
5. Mr. Sanford to work with Dale Lynch on designing a new A-frame for mooring maintenance.

Respectfully submitted, Leo Pierre Roy

Approved January 12, 2024