

Minutes of the
Town of Gosnold
Harbor Management Committee
June 17, 2021

Item 1. (Call to Order/ Minutes) A meeting of the Town of Gosnold Harbor Management Committee in Town Hall and via ZOOM teleconference was called to order at 10:41am. Present were Harbor Committee Members Ralph Cataldo, Paula DiMare, Seth Garfield, Lexi Lynch, Leo Pierre Roy, and Lisa Wright, representing a quorum of the Committee. Also present for portions of the meeting were Harbormaster/Wharfinger George Isabel, Mooring Collector Dale Lynch, Selectboard Chair Gail Blout, Horace Garfield, Tally Garfield, Rosemary Rice Goettsche, George Shaw, and Nancy Wilder. Other members of the public participated, but did not identify themselves. Chairman Roy confirmed that the Committee members could hear the discussion and be heard.

Seth Garfield moved acceptance of the minutes of the meeting of May 13, 2021 as written and distributed. The motion was seconded by Paula DiMare, and passed unanimously.

Item 4. (Mooring Collector's Report) This item was taken out of order. Dale Lynch reported that the Harbor was opened ahead of schedule, and that to date we had 200 boats for revenue of \$11,000. He said that by comparison, he had collected \$14,000 for all of June last year. He said that he expected the coming weekend to be very busy. Mr. Lynch said that the new mooring pennants were working well, were flexible, and were easy to tie into. He said that the collection of the \$5/night environmental fee has not been an issue, with little complaint, except for one guy from Marion. Mr. Lynch said that about 15% of the boaters decline the bags, saying that they don't dispose of waste at Cuttyhunk, but that they "pack it in and pack it out". He said that in his opinion, the greater problem was with residents illegally disposing their trash down at the Marina. He said that he's expecting a good summer, and that we're prepared for it. In response to a question from Mr. Roy, Mr. Lynch said that the boat was running fine, with no issues.

Seth Garfield asked about the Internet service in the mooring field, and Mr. Lynch said that it was spotty. Mr. Roy asked if the signal could be further boosted. Lexi Lynch responded that the signal was at about 90% strength, but that they were experiencing a fair amount of drop off. She said that this also seemed to be the case with cellular data. She said that she has talked to Paul Zimbone and Paula DiMare about adding another antenna. Ms. Lynch said that she couldn't explain why the service was spotty, except to note that streaming takes a lot of the bandwidth. Mr. Roy said that he has long asked for some performance metrics from Cuttyhunk WiFi, as their biggest customer. He said that we have agreed to buy the service to provide free WiFi to our customers at the Marina and on the moorings, but we had no data analytics on the coverage or speed. Ms. Lynch said that Cuttyhunk WiFi could supply that.

In response to a question from Mr. Roy, Mr. Lynch said that separate and distinct from his Town Mooring Collector job, and wearing his hat as a private contractor, he had recently installed the Frog Pond moorings in the Outer Harbor, and would be installing the Jenkins moorings next week. He said that he would be managing the Jenkins moorings again this season.

Item 5. (Update on Current Projects: Fuel Farm, Trash, Ferry Dock Safety) Seth Garfield asked who was responsible for directing traffic on the Ferry Dock, saying that it was very busy, with lots of freight coming to the island since Memorial Day, but the scene was chaotic. Lisa Wright said that the position was under Public Safety, and that Angus Garfield did it last year, with George Isabel as backup when Angus wasn't available. Selectperson Gail Blout agreed that it was important to have someone there, and that we should ask Mr. Isabel to make those arrangements.

Seth Garfield said that the new trash trailer was a "work in progress", with four containers on the trailer, instead of them being moved by the Bobcat. He said that he was helping Asa Lombard with the setup, along with Coby Goodrich as Asa's assistant for the summer. Mr. Roy suggested that a step was needed to allow people to reach the containers. Mr. Garfield said that Bill Archer had originally offered to build the steps, but that he later refused, because he didn't like the setup, and was concerned about the Town's potential liability. Mr. Garfield said that more thought needed to go into the arrangement, and that he would work with Mr. Lombard on it.

In response to a question from Ms. DiMare, Mr. Garfield said that there was still the intention to locate a dumpster near the Ferry Dock. Ralph Cataldo said that he has been taking his trash off island to dispose on the Mainland, and that we needed to make it more convenient for the residents. Lisa Wright observed that it was fruitless to discuss the trash issue without Solid Waste Department Manager Asa Lombard in the room. Mr. Roy agreed, and said that the trailer was an improvement to moving the containers with the skid steer, but that he was concerned about backing it down the road to the Marina, particularly as the summer gets busy. Seth Garfield reiterated that it was a work in progress, and that unfortunately the trailer had too large a turning radius to be turned in the parking area.

Dale Lynch said that the overflowing trash last weekend was unacceptable, and that we were expecting a busy weekend coming up. Mr. Garfield said that he would talk to Mr. Lombard about the pickup schedule. Mr. Cataldo suggested that since Solid Waste reported to the Selectboard that they should get involved, and Mr. Roy asked Ms. Blout if she would also speak to Mr. Lombard. Mr. Cataldo noted that it was June 17th, and we had the equipment that we had, so we needed to try to make a bad situation less bad.

Regarding the Fuel Farm, Seth Garfield sarcastically noted that he was "shocked" that there was still an empty hole where the tanks had been removed. Gail Blout said that she had spoken to Ralph Packer, who reported that the tanks were being tested, and

that he was expecting certification next week. She said that she was very concerned about all the 5-gallon jerry cans of gasoline stored all over the island, and the risk of fire and fuel spills. Mr. Roy noted that her concerns were made known to the Conservation Commission at the two hearings on the new fuel farm. Mr. Garfield said that he saw four cans of gasoline next to a propane cylinder, and that the fire risk was very real. Ms. DiMare asked if the Town could supply fuel to the residents, as a fire would be very serious. Ms. Wright said that the Town lacked the proper licenses to sell fuel to the residents. She said that Mr. Packer was willing to do it last summer, but not this summer. Mr. Roy noted that we were discussing very real risks, whereas the risk of a release from a properly designed fuel farm in a hurricane was a hypothetical risk, and that he had nothing more to say on the matter.

Seth Garfield asked if George Isabel had adequate staff for the summer. Ms. Wright said that no one had applied for the Harbor Assistant position to help manage the bathrooms and the trash. Mr. Roy asked Ms. Lynch if she knew of any teenagers looking for employment this summer. Horace Garfield said that he was concerned that a teenager might not have enough authority to stop residents from dumping their trash in the bins, which he said he sees frequently. He said that we needed someone with presence, with George Isabel as backup to enforce it.

Item 7. (Old Business) Seth Garfield asked if the “To Do” list could be added back into the minutes. He said that he found it useful to keep track of things. Mr. Roy said that he would add it, and that it was a good idea, adding that the Eelgrass survey still needed to be done, following our dock expansion projects.

Mr. Roy said that the Electric Light Committee had approved the rental of the temporary generator, and that it would be coming on next week’s trash barge. He said that Wayne Perrier now wanted it located next to the Power House, which avoided a potential conflict with the Con Com.

Mr. Roy asked about the status of the repair to the bulletin board, and Ms. Wright said that Bill Archer had examined it and found it “beyond repair”. She said that she has looked into buying a new one, but that they were expensive. Seth Garfield offered to work with her on finding a suitable replacement. He asked about the bronze plaque dedicating it to Walter Dean, but Bill Archer said it was missing. Mr. Cataldo said that we should order a new one, if that was the case.

Ms. Wright reported that most of the mooring fee bills had been paid, except for Michelle Tang (Cha’ Ching). Mr. Roy asked Mr. Lynch if he would swing by her boat and remind her about the overdue fee. Ms. Wright asked about the deep water mooring that Bob Hurley had rented seasonally, and whether we should offer that to the Waiting List or just rent it as a nightly mooring. After some discussion, the sense of the meeting was to make it available for nightly rental.

Item 8. (New Business) Paula DiMare asked about a large skiff at the dinghy dock that seemed out of place. Nancy Wilder said that it was hers, that she had an electrical problem, and that she was waiting for a slip. She said that her boat has been moved over to the Yacht Club.

Mr. Roy said that he had become aware of an enforcement issue with the size of one of the vendor shacks. He said that our rules allow for shacks to be 80 s.f. in a 12x12 area, but Duane Lynch's new shack is 120 s.f. (10x12). He said that he spoke with the Lynch's, and they understand that their shack is bigger than the allowable limit. They said that they needed more space to prepare the menu that they are planning to offer. They said that they had focused on the 12x12 lot size, and overlooked the 80 s.f. building requirement. Mr. Roy pointed out that this was awkward, as Lexi Lynch is on the Committee that developed and approved the rules, which were circulated to all vendors this spring. Mr. Roy said that there needed to be some consequence for this violation, which could range from asking them to remove their shack and replace it with a smaller one, to paying a fine for the violation. He opened the issue to the Committee for discussion.

Seth Garfield said that all the vendors would like more space, and that if he had more space he would use it. He said that they've added a drink machine that they didn't have before, and that didn't justify their breaking the rules. Mr. Roy said that the Lynch's have acknowledged their mistake. Mr. Garfield said that he felt it was a case of asking for forgiveness instead of permission, and the Committee should not have been put in this position. Mr. Cataldo said that he first saw the new shack about three weeks ago, and it didn't look out of whack, but the rules are the rules. He observed that because of our Master Plan implementation we have made Cuttyhunk a destination, added new seating areas, and that all the vendors contributed to that, including the Raw Bar, the Café, the ice cream, and having a place to get a coffee at 5am. He agreed that the vendors needed more space, because the crowds of visitors are coming, but that it was not okay to break the rules. Mr. Cataldo also noted that when the bathroom facility gets re-designed we should re-visit the sizes of the two permanent vendor locations to ensure that they have adequate space for operating and inventory storage adjacent to their operation. He said that it would free up space being used for storage in the Fish Shacks and better streamline the operation for our vendors.

Mr. Roy noted that the rent for a vendor location was \$150 for the season, and that perhaps we could fine them by charging them double for their space this year. He said that before next season we could discuss whether the 80 s.f. building size was too small, and perhaps increase it, depending on how this season went. Ms. DiMare said that she felt that only imposing a \$150 fine was overly generous, and not enough of a penalty. Ms. Wright agreed, but also said that making them take the building away was too extreme. In response to a question, Lexi Lynch said that they would be serving lunch out of both locations, with a different menu at each. Ms. DiMare noted that it was at least a good looking building, even if it was too big. Horace Garfield observed that we often talk about enforcing rules at Cuttyhunk, but never seem to do it. He said that this discussion was refreshing. Ms. Blout said that she thought that the fine should be more

than \$150, and that the price for the vendor location was already low, given that the shacks rent for \$700. Ms. DiMare said that she felt that it would hurt the island to make them move their shack, as we need vendors to meet the needs of residents and visitors. Mr. Cataldo said that in the future the Committee should act like an architectural review board, and have plans presented before new buildings are built. He said that if the Committee had seen the plans, they would have reminded the Lynch's of the size restriction, or amended the rules to allow for larger buildings, in advance. Mr. Roy noted that some settlements are for triple damages, and Seth Garfield said that three times \$150 would be \$450. Ms. Wright said that the vendor fee was \$150, and if we fined them \$350, their fee would be \$500 for the season, which seemed like a fair figure. After some discussion, Ms. Wright moved a penalty of \$350 to be assessed against the Lynch's for violating the vendor building size limit. Upon a second by Seth Garfield, the motion carried, with Lexi Lynch abstaining.

Seth Garfield said that he had to leave for a funeral on the Mainland, but he wanted the Committee to discuss what he feels are inequities in the allocation of permanent berths and seasonal slips. He said that we have residents on the Waiting List who can't get a slip while other people have 2 or 3 boats at the dock. He suggested that we make no decisions today, but consider changing our policy. He said that he understood that there was to only be one slip per household, and acknowledged that he himself kept two boats in his slip. Harbormaster/Wharfinger George Isabel said that he was responsible for slip assignments, and that he kept the Waiting List for slips in his office. He said that he tried to accommodate people needing slips, including residents and those needing slips for short periods. He said that he asks to be notified if people were not going to be using their slips, but that there was a long standing informal practice of people letting a friend or relative use their slip for a short time if they weren't going to be in it.

Mr. Isabel used the example of Nancy Wilder, who has a boat and is on the Waiting List for a slip. He said that she wanted to use Bee Elmore's slip, which would be fine until the Elmore's showed up, and which point where would Ms. Wilder go? Ms. Wright said that she believes that there should be only one boat per household at the dock, given how few slips we have, and how great the demand is. She said that if somebody wants to have a second boat at the dock they should pay the transient rate. Mr. Isabel said that the problem with the informal arrangements on using another person's slip means that he can't put a transient in there.

Nancy Wilder thanked Mr. Isabel for accommodating her boat in May, but wondered about the status of the slip inventory that the Committee had talked about a few meetings ago. She said that she was willing to wait her turn for a slip, as long as the rules were clear, and being fairly administered. She said people feel like there are "backroom deals", and that slips should not be granted based on who you know. She said that she appreciated that the Wharf makes a lot of money for the Town, and that she appreciated how hard that Mr. Isabel and the Committee worked, but she wants a transparent and fair process. She asked the Committee to check to make sure that weren't any households that had more than one slip.

Horace Garfield located a copy of the slip rules in an old Town report. Mr. Roy read aloud to the group the requirements that the applicant for a berth “must own the boat using the berth, only one berth assigned per household, and that assignment of a berth does not entail a lease of that berth, but rather is an agreement by which a person may berth only his own boat. The Wharfinger may use temporarily vacant berths for transient boats.” In other words, Mr. Roy continued, it seemed clear that the informal practice of allowing someone to use your berth temporarily is not allowed under our current rules. If your boat is not in your slip, the Wharfinger can use it to accommodate resident and transient boats. Mr. Roy asked Mr. Isabel to start enforcing the slip regulations.

Item 3. (Wharfinger/Harbormaster Report). George Isabel reported that he was still waiting for help, but that he had heard that Angus Garfield is now on island, so he can start being at the Ferry Dock when the boat arrives. He said that Peggy Lovell will be here the end of the month. He reported that the painting of the Fish Shacks has been finished. Ms. DiMare said that she was concerned about an exposed pipe on JP’s float, and wondered if Mr. Isabel was aware of it. He replied that he was, and that an orange cone had been placed on top of it. He said that JP Hunter was also aware of it, and that Mr. Hunter needed to replace the “doughnut” around the pipe. Ms. Blout suggested that we circulate the job description for the Wharf Assistant to see if we could get any applicants.

Item 2. (Mail) The invoice from Cuttyhunk WiFi was reviewed and approved.

Item 9. (Adjournment) Chairman Roy noted that our next meeting was by Zoom conference call on Thursday, July 15, at 10:30am. Ms. DiMare moved to adjourn the meeting, and upon a second by Ms. Wright, the motion was passed unanimously at 12:45pm.

TO DO LIST:

1. Mr. Lynch to remind Michelle Tang about her overdue mooring fee.
2. Mr. Garfield to work with Asa Lombard on improving the new trash trailer, and placement of a dumpster at the Ferry Dock.
3. Ms. Wright and Mr. Garfield to order a new Bulletin Board.
4. Cuttyhunk WiFi to provide service performance metrics.
5. Mr. Roy to get the annual eelgrass survey performed.
6. Mr. Isabel to enforce the slip occupancy rules.
7. Ms. DiMare to post Wharf Assistant job description on the Cuttyhunk Telegraph.
8. Mr. Roy will check with Foth on the status of the marina layout scope.
9. Mr. Cataldo will reach out to architect Greg Jones about the bathroom building.

Respectfully submitted, Leo Pierre Roy

Approved July 15, 2021