

## **1. CALL TO ORDER**

Chair Philbrook called the meeting to order at 6:00 p.m.

Members Present: Steve Lawrence, Mark Drummond, Mark Alesse, Charlie Patten, Kelly Philbrook, Bruce Crawford

Staff Present: Scott Alessi, Harbormaster

## **2. PLEDGE OF ALLEGIANCE**

## **3. AGENDA AMENDMENT & ADOPTION**

The Chair requested to move Items 10 a. and 10 b. after Item 5. Board members had no objections.

## **4. MINUTES: JANUARY 5, 2017**

Line 167 – change to Mark Alesse not Alessi

Line 193 – take out the word “placed” after regulations

Line 195 – add Council posts public hearings on the website

Line 228 – Pepperrell Cove not Harbor Cove

Line 230 – Army Corps of Engineers not Fisheries Management Plan

Line 232 - FNP not FMP – federal navigation project

Line 246 – Mr. Crawford not Mr. Patten

Line 261 – remove “of a sign” change to “of a signal”

Line 247 -reword to “completed by the end of January”

**Vice Crawford moved to approve the Minutes as amended.**

**Mr. Lawrence seconded the motion.**

**The motion carried 6-0-0.**

## **5. HARBORMASTER REPORT AND BUDGET REPORT**

- Two pilings and a winter float were damaged from the January 11<sup>th</sup> storm. He is waiting on the insurance claims.
- The insurance claim to haul the sailboat that was denied due to third party involvement. The amount was \$1,700.
- Spoke with Dale at Badger-Crane regarding KPA’s concerns during the float out.
- New floats were ordered and are ready.
- Thanked the Town Manager for her help with the new laptop he received.
- Traip docks will be hauled out on February 9<sup>th</sup>.
- He has continued to look at new boats and found one he liked. The cost is over budget but there is the option to barter or trade in the current boat. He is required to get three bids and he is working on this.

Budget

Under the “other professional” line in the budget, fees were taken out for the tow and haul. The amount is now down to \$121.00. Under fees, he has collected 27% of the dingy fees for an amount of \$1,900; 21% of the mooring fees in the amount of \$18,000; and 20% of the water usage fee in the amount of \$2,400.

Mr. Lawrence asked the price of the new boat. The Harbormaster replied the price is \$32,693 which is \$7,700 over the money budgeted. He also stated a boat builder offered \$10,000 for the old boat. The company is Surfside which is located in Rochester, New Hampshire. They can do a trade in but we will still need to have three bids.

Chair Philbrook reported older Traip floats will be taken out of the water to dry them and remove seaweed.

Mr. Lawrence mentioned he spoke to the Harbormaster about old floats that are at the dump. Staff at the dump don't want to cut them up unless there is authorization. The Board directed the Harbormaster to check with the Town Manager if they can be destroyed. Vice Chair Crawford asked about two sunken floats that need to be hauled out and disposed. Mr. Alessi responded he is waiting for the insurance company's approval before this is done.

**6. The Kittery Port Authority moves to Approve Revisions to the Agreement Between the Town of Kittery and the KPA for Harbormaster Employment.**

Chair Philbrook stated there were minor changes from Town Council to be reviewed and asked if there were any questions. Board members did not have any questions.

**Mr. Alesse moved to approve the revisions to the agreement between the Town of Kittery and the KPA for Harbormaster employment.**

**Mr. Drummond seconded the motion.**

**The motion carried 6-0-0.**

**The Kittery Port Authority moves to approve revisions to the Harbormaster Job Description.**

Chair Philbrook stated the Town Council had a few minor changes to the job description and thanked Milton Hall for pointing out some of those changes.

**Mr. Lawrence made a motion to accept the revisions of the Harbormaster job description. Vice Chair Crawford seconded the motion.**

**The motion carried 6-0-0.**

**7. PUBLIC HEARINGS**

- a. The Kittery Port Authority moves the hold a public hearing on an application for Robert & Karen Couture 22 Captains Way, Kittery Point ME for the construction, modification, reconstruction of a tidal docking structure consisting of a 4'x20' wooden access way, a 8'x45' Stone pier (existing in kind), a 3'x35' aluminum gangway, and a 10'x24' float along shorefront on Weir's Creek.

Steve Riker from Ambit Engineering, stated Mr. Anderson of Riverside & Pickering Marine was also present. Mr. Riker stated they are constructing a docking structure with a 4'x20' wooden access way. There is a stone pier but is in poor shape so it will be rebuilt and decking will be on top. There will be an aluminum 3'x35' gangway connected to a float which will be anchored by moorings and chains. The structure will be for recreational use by the owners. He further explained the details page shows a cross sectional view and includes tidal datum. The float will have skids. A Maine DEP permit is required and has been submitted.

Chair Philbrook opened the public hearing. There being no comments, she closed the public hearing.

Chair Philbrook stated the length of the pier is 110 ft. and asked Board members to issue a waiver. Board members were in consensus to accept the extra 10 feet.

**Mr. Patten moved to approve the plan application for Robert & Karen Couture 22 Captains Way, Kittery Point, Maine for the construction, modification, reconstruction of a tidal docking structure plan as presented on agenda.**

**Mr. Alesse seconded the motion.**

**The motion carried 6-0-0.**

- b. The Kittery Port moves the hold a public hearing on an application for James W Stott & Jonathan King 100 Pepperrell Road, Kittery Point ME to add a 10'x20' float to an already existing 10'x20' float and two new pilings along shorefront on Pepperrell Cove.

Steve Riker, Ambit Engineering, stated the owners wish to add 10'x20' float to an existing float on a docking structure. Mr. Riker explained the plan for securing the floats and provided a profile view of the entire docking structure including datum and float stop detail. He further explained the owners have a 37ft. boat and all work will be done from the water side utilizing a crane barge.

Chair Philbrook opened the public hearing.

Rich Holzer asked if the float will be near the Town floats. Chair Philbrook responded it is inside of the Town float area. Mr. Riker showed Mr. Holzer the location.

The Chair closed the public hearing.

**Mr. Lawrence moved to approve the application for James W Stott & Jonathan King 100 Pepperrell Road, Kittery Point, Maine.**

**Mr. Drummond seconded the motion.**

**The motion carried 6-0-0.**

**8. PIERS, WHARVES AND FLOATS**

Nothing to report.

**9. PUBLIC SEGMENT**

The Chair opened the public segment.

Lee Perkins, Director of the Rice Library, reported she has had requests for the library to host a Christmas boat parade. If this is done, it would be scheduled the weekend after Thanksgiving at Fort Foster. Ms. Perkins explained she will need to coordinate with the Town, Public Works and the Harbormaster. During the parade, she would like to have a food collection for the homeless.

Milton Hall reminded Board members that motions need to have dates. He congratulated KPA for pulling the Traip floats.

The Chair closed the public segment.

**10. UNFINISHED BUSINESS**

**a. Rules and Regulations Update.**

Chair Philbrook recommended having a workshop but would like to have feedback on the updates to the rules and regulations from the Board.

Board members discussed having consistency with names and titles, spreading the information out and add more sections.

The Board was in consensus to hold a workshop on February 16<sup>th</sup> at 6:00. Vice Chair Crawford suggested members take time to review before the workshop.

**b. KPA Insurance Concerns**

Mr. Patten stated he has been speaking with a representative from Insurance Solutions regarding the current policy and is still waiting for more information. He asked for a quote to resume the insurance that was taken off for the Jones Act. Mr. Patten also discussed increasing director's and officer's insurance. To help limit liability, Mr. Patten suggested having a rental agreement for slip space, docks or mooring space. Discussion of the need to have insurance for mooring holders ensued including whether to require a Certificate of Insurance.

Chair Philbrook stated they will be updating the rules and regulations and she would like to include liability language of the boat owner along with adding the rule to the mooring application.

Vice Chair Crawford questioned the need for director and officer coverage. Mr. Patten stated he is only getting a quote.

Chair Philbrook stated the KPA cannot be covered by the Town's insurance carrier, Maine Municipal Association, because of the separation. Mr. Alesse suggested KPA become a member. He will look into this.

c. FNP

Chair Philbrook reported she attended a meeting regarding FNP project and was sent charts from the last study from 1989. She drafted questions for a survey that will go out to the public and mooring holders for their feedback. If dredging takes place, it will be five years out. She also stated the cost to take moorings out of the water would need to be paid by the Town or the mooring holders. She added the soil samples came back showing materials dredged are safe for open water disposal.

## **11. NEW BUSINESS**

a. Rules & Regulation Abandoned Vessels

Chair Philbrook found language from other districts regarding rules and regulations of abandoned vessels and included them in the Board packet. She would like to add these now since they are in the process of updating the rules and regulations. Chair Philbrook reported Kittery does not have an abandoned vessel rule and she also included language on houseboats as well.

## **12. COMMITTEE AND OTHER REPORTS**

a. Communication from the Chair

The Chair had nothing further to add.

b. Lighting and Railing Update

Vice Chair Crawford reported the lights are in and a state inspection will be needed. He also reported two parts will be in within a couple of weeks for completion on the railings.

Board members discussed the position of the new lights. Vice Chair Crawford explained the old flood lights will be taken down and the light pole base in the parking lot is coming out.

Chair Philbrook questioned why there is no railing by the jersey barriers. Vice Chair Crawford replied it was in the original plan to have a railing but a log that was to be used disappeared.

c. Sign Update

Chair Philbrook recommended having a field trip workshop to visit facilities and review what they have for signs. After discussion, it was decided to have the field trip on Monday February 20<sup>th</sup> at noon and will meet at Pepperrell Cove.

**13. BOARD MEMBER DISCUSSION - None**

**14. ADJOURNMENT**

**Mr. Alesse made a motion to adjourn at 7:13 p.m.**

**Mr. Lawrence seconded the motion.**

**The motion carried 6-0-0.**

Submitted by Mary Mancini, Minute Recorder, on February 13, 2017.