

1. Call to Order

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

Members present: Steve Lawrence, Member; Kelly Philbrook, Chair; Charlie Patten, Member; Bryan Bush, Member; Bruce Crawford, Vice Chair; Mark Drummond, Secretary; Mark Alesse, Member/Planning Board Representative

Staff: Scott Alessi, Harbormaster

2. Pledge of Allegiance

3. Agenda Amendments

None.

4. Minutes: November 2, 2017

Line 64 -add "is" after \$2,355

Lines 110-111 - should read "had a float in back channel and they have existing cement blocks"

Line 277 - \$45 not \$25

**Mr. Lawrence moved to accept the Minutes of November 2, 2017 as amended.
Mr. Alesse seconded the motion.**

The motion carried 7-0-0.

5. Harbormaster's Report and Budget Report

Expenses:

- \$59.09 for gas, grease and oil
- \$123.94 was used for signs. New stickers will cost \$325. There is an available balance of \$336
- \$2,355 for rigging was because of \$85 an hour for the rigging person
- \$401 building and grounds maintenance
- \$278 for uniforms

Revenues:

- \$150 has come in from new mooring fees

- \$60 from launch fees received from independent boat haulers

The Harbormaster reported both Harbormaster boats are in storage. The Pepperrell Cove building is winterized. He has spoken with Cameron Paving regarding the ramp at Pepperrell Cove and was told resurfacing can be done. Dave, from Public Works, recommended sides be built on the ramp to prevent erosion.

Mr. Alessi informed the Board that the Traip ramp needs permits because they will be going beyond the current footprint. Mr. Alessi gave a breakdown of one of the two pavement quotes received and added they are in line with the Town's pricing. He told the Board he will be getting more quotes and he was told prices are predicted to increase 7% in the spring.

Chair Philbrook commented on the Harbormaster's recommendation of purchasing four replacement buoys from Sealite. Mr. Alessi explained they are \$475 each. They are not lighted but do have reflective tape. After further discussion, the Board requested Mr. Alessi to get quotes for adding lights including solar. The Board was in consensus to have the Harbormaster order four buoys.

Mr. Alessi has received two quotes for replacing two floats at Pepperrell Cove. He explained the second quote was \$2,190 less than the first quote because there are no skids and it is nailed, which he does not recommend. The first quote also included stainless steel torque head screws. The Board was in consensus to proceed with the first quote.

Mr. Alessi reviewed the two quotes he received for the parking lot paving at Pepperrell Cove. The first came in at \$18,500 which includes removing the hot top, regrading and adding 2.5 inches of hot top. The second quote is the same work as the first but also includes restriping and came in at \$50,000. The overlay only option was \$18,000. Mr. Alessi believes the overlay option would only last two or three years.

The quote for three channel buoys is \$706. Chair Philbrook pointed out they will not be needed before next spring, but they should purchase them now in case the price increases. The Board was in consensus to purchase the three buoys and having the Harbormaster dispose of the old ones.

Mr. Alessi explained he would like to replace the dock pins and the total price would be \$675. The Board was in consensus to purchase new dock pins but requested the Harbormaster get a quote for stainless steel pins.

6. All Items involving the town attorney, town engineers, town employees or other town consultants or requested officials.

a. KPA Transition Updates

Town Manager Kendra Amaral was present to give an update of the transition following the vote in November to adopt the Charter to bring the KPA under the Town and the change will be effective on January 1st. She added there will be an open seat due to the Planning Board representative no longer having a seat. The Town Council will be appointing the next person on the list on Monday night. She added the process with the State has begun and explained the private and special law procedure. She informed the Board that the insurance policies have been received for the Harbormaster and she has a call in to the Maine Municipal Association regarding board member liability. She is not sure if refunds for already paid premiums will happen. She is recommending to Town Council to terminate the inter-municipal agreement since it no longer needs to be in effect. The Harbormaster is in the personnel policy and nonunion merit increases have been enacted for nonunion staff, which Mr. Alessi is. Ms. Amaral has spoken with the Planning Board and Town Council since the recent staff vacancies impacts the KPA Board as well. She informed the Board that Kathy Connor, an interim planner, is helping for now. Her recommendations and changes of the job descriptions for the town planner and assistant planner will go before the Council on Monday. Ms. Amaral has also spoken with Chair Philbrook regarding the Town providing administrative support to her and the KPA.

7. Public Hearing

None.

8. Piers, Wharves and Floats

- a. The Kittery Port Authority moves to review and accept an application from Phillip & Christine Crawford, 22 Chauncey Creek Road, Kittery Point ME 03905 (Map 44, Lot 65A) for the construction of a wooden access structure consisting of a 11'x4' upper stairway and landing, a 12'x8' upper deck, a 13'x3' lower stairway, and a 8'x6' lower deck. The access structure is supported by 8 pressure-treated 4x4 posts on 12" concrete footings. Agent is Ambit Engineering, Inc. Portsmouth NH.

The applicant was absent.

9. Public Segment

The Chair opened the public segment.

Milton Hall informed the Board the KPA had looked at acquiring an insurance policy in 2007 and Maine Municipal Association (MMA) told them they would not insure the marine resources and they needed to get their own insurance. MMA explained it was because of homeland security. Mr. Hall asked why this has changed? Chair Philbrook stated she will ask the Town Manager. He also asked what will happen to the keel from the sailboat that went aground on Cedar Island. The Harbormaster replied it will be part of the salvage and Riverside and Pickering Marine will be back to get it.

There being no further comment, the Chair closed the public segment.

10. Unfinished Business

a. Pier use permit changes

Chair Philbrook explained several workshops have taken place regarding the pier use permit and she will make the grammar changes to the document.

**Mr. Lawrence moved to send the pier use permit changes to a public hearing.
Vice Chair Crawford seconded the motion.**

The motion carried 7-0-0.

b. Qualified Mooring Inspector

Chair Philbrook explained the need to have the rules ready for the beginning of the year. She read the definition of a qualified mooring inspector on Page 2 under "G" from the document she handed out to the Board and she would like to see the following omitted: *"must be performed only by a qualified mooring inspector or authorized by the Harbormaster"* in order to move this forward to a public hearing because the Board was unable to come to an agreement on the definition. She pointed out the Harbormaster needs to have the reports to enable him to enforce the rules. Mr. Lawrence agrees there is a need for this to be in place soon. Chair Philbrook read her following suggestion: *"All moorings must be inspected at least every other year. A written report of all inspections must be submitted to the Harbormaster's office within seven working days of the inspection. The permit holder is responsible for all costs associated with mooring inspections."* After discussion, the Board and Mr. Alessi agreed to keep *"inspector*

authorized by the Harbormaster” in the rule. The Board was in consensus to move this to a public hearing.

Mr. Lawrence moved to accept Paragraph 1 under “G” Adequacy of Moorings and move to a public hearing with additional changes of seven working days after the inspection.

Mr. Drummond seconded the motion.

The motion carried 7-0-0.

c. Temporary mooring program changes

The Chair explained no agreement was reached so they will look at this next year. Mr. Lawrence commented he has spoken to people about this and they are willing to pay the cost of a mooring, which could be between \$750 to \$1,000 to have the mooring permit holder take the tackle off. The lessee provides their own tackle. He suggested looking at this option when reviewing this again.

11. New Business

Chair Philbrook requested Mr. Patten read the handout Maine Municipal Association Property and Casualty Pool Best Practices she received from the Harbormaster who attended a training.

12. Committee and Other Reports

a. Communications from the Chairperson

The Chair reported she received a call from Nate Hubbard, who had come before the Board in 2014. He lives on Thaxter Lane and his property meets the riparian mooring requirements, but his property is on Sea Point Beach and, so he is unable to have the mooring. He went to the Board because he wants a mooring in Pepperrell Cove since he has a riparian mooring. The Board told him they were unable to do this, and they suggested Chauncey Creek if his boat was small enough because the waitlist was smaller. She further explained Mr. Hubbard claims he has spoken to a past harbormaster who told him he could receive the mooring in Chauncey Creek now. Mr. Alessi has told him he is number four on the waitlist for Chauncey Creek and will not receive a mooring until his name is up. Mr. Hubbard is upset, and the Chair has explained to him this is State law not Town law and asked board members for their opinions. The Chair polled the Board and the majority agreed with the Harbormaster. Mr. Alessi will put the denial in writing.

Chair Philbrook informed the Board that Alan Breton, Assistant Harbormaster, had a shoulder injury and will be having surgery in January. The Board wished him the best.

b. Committee Reports

*** Government Street Wharf Updates**

Vice Chair Crawford informed the Board he had a discussion with the Maine DOT regarding materials and discovered a firm in Augusta that makes fiberglass piles. These would be more expensive than wood but not more than bumper pile and they may want to consider it and he would like to get prices on both pressure treated and fiberglass piles. He added the planning grant for 2018 has already been designated and the person he was working with at the State recommended to apply in the Spring. He is also working with the town manager on the DOT Grant. He discussed the elevation at high tide is 13 inches below the top of the deck and it will need to be raised 12 to 18 inches, so it doesn't flood. Mr. Lawrence has spoken with the Town Manager and was informed, as long as they put it out to bid, they can do a replacement in-kind and he suggested moving ahead. The Town Manager also told him it would need a formal meeting with the public. Vice Chair Crawford will contact some contractors to get an estimate of the cost and Mr. Lawrence offered to work with him.

c. Updates

***Traip Boat Ramp repairs**

The Board was in consensus to have the Harbormaster begin the permitting process for the Traip boat ramp.

Mr. Patten asked if a retaining wall will be needed for the side of the ramp at Pepperrell Cove. Mr. Alessi responded he is suggesting having some paved curbing along one edge. Discussion of whether to overlay the ramp or have it completely redone ensued. Chair Philbrook took a poll of members and the result was five in favor of overlay (Lawrence, Drummond, Philbrook, Crawford, Patten) and two in favor to have the entire pavement torn up and redone (Alesse, Bush). Chair Philbrook stated the overlay is the best option for now and added the Board needs to start planning to rebuild the ramp with concrete walls within the next few years. Mr. Alessi will get more quotes.

13. Board Member Discussion

Steve Lawrence - Thanked Mark Alesse for his time on the Board.

Mark Drummond - None.

Bryan Bush - Also thanked Mark Alesse for his time on the Board.

Charlie Patten - None.

Mark Alesse - Thanked the Board and stated he has enjoyed his time and is glad to have met them all.

Bruce Crawford - would like to add suggestions on the application for piers, wharves and floats so to match their Rules and Regulations. Under B - *“Piers shall not exceed 100-ft. beyond the normal high-water line nor beyond the mean low water line or whichever is shorter”* and under C - *“The maximum height of the pier deck surface shall not exceed 6 ft. above the normal high-water line and handrails should not exceed a height above the deck surface of 42 inches without the specific approval of the Port Authority”*. He will be working with Mr. Lawrence to get pricing on the Government Street Wharf.

Chair Philbrook - Thanked Mr. Alesse as well and wished everyone a Merry Christmas and Happy New Year.

14. Adjournment

Mr. Alesse moved to adjourn at 7:15 p.m.

Mr. Lawrence seconded the motion.

The motion carried 7-0-0.

Submitted by Mary Mancini, recording secretary.