

KITTERY PORT AUTHORITY
February 4, 2016 Meeting Minutes
Council Chambers, Town Hall

Members Present: Kelly Philbrook, Mark Alesse, Steve Lawrence, Mark Drummond, Peter Johnson and Bruce Crawford

Members Absent: Peter Whitman

Staff: Harbormaster Derek Jacobs

Meeting began at 6:00 p.m.

1. Call to order

2. Pledge of allegiance

3. Minutes: January 7, 2016

Ms. Philbrook moved to approve the minutes of the January 7, 2016 meeting.

Mr. Lawrence seconded

Motion Carried: 7-0-0

4. Harbormaster's Report: Derek Jacobs

- Derek provided the board with the newest budget and revenues report including the outcome of the budget workshop that was held on January 26, 2016. Derek stated since the budget is due February 16th the KPA should come up with a final draft.

Ms. Philbrook asked why the water bill was so high. Derek replied he was not sure and would look into this issue.

Mr. Lawrence asked Derek to explain the KPA application fees. Derek clarified it should read \$510 based off the proposed budget. Derek told Mr. Lawrence this is just a draft and they will have to go before the council with the reasons behind their budget.

- Derek stated mooring renewals have begun. He said emails and notices have been sent out.
- Derek said Cianbro has offered to donate to the KPA a 10 X 20 float they used for working on the bridge. Mr. Crawford was curious as to where the float would be stored. Derek responded it could be kept at Traip and in the future moved to storage. Ms. Philbrook asked if the float could be used at Pepperell Cove. Derek agreed the float would work well there. There were no objections from the board on accepting the float.
- Derek reviewed the riparian application for James Stott at 10 Pepperell Rd Kittery. Derek stated the applicant meets the qualifications. Derek said in front of the house is all mud he can make the offer of a mud mooring but since they are on the edge of Pepperell Cove this would probably mean issuing a mooring out in the mooring field. Ms. Philbrook stated if it will be in the mooring field the applicant will need to go on the list.

51 **5. Updates**

- 52
- 53 • Mr. Crawford stated the outcome of budget work session is still on going. A workshop
54 for a final draft is scheduled for February 10, 2016 at 6pm.
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 - 56 • Mr. Lawrence volunteered to be on the council to for the new working group for the port
57 authority town issue.
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60 **6. Applications**

- 61
- 62 • 27 Badgers Island West Kittery Badger Island Marine Daren La Pierre replace in kind 10
63 Piles and decking

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65 Mr. Crawford stated this is an after the fact application for replacing pilings and decking.
66 Ms. Philbrook inquired if the applicant was in attendance. Steve Roberts representative
67 for Darren La Pierre approached podium. Mr. Roberts said pilings had been driven but
68 decking and supports have not been done. Mr. Alesse and Mr. Lawrence stated they will
69 monitor the work. The board had no further comments.

- 70
- 71 • William Cynewski submerged land and lease application for a float on a residential pier
72 at 30 Rice Ave Kittery.

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74 The applicant was not in attendance. Derek stated he included this issue on the agenda to
75 give the board a chance to discuss as it is time sensitive. All members of the board
76 agreed they will need to see the formal application in order to discuss.

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79 **7. Public Segment**

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81 Mr. Hall approached podium. He commented that William Cynewski 30 Rice Ave. sits
82 right beside the Kittery right away. Mr. Hall said if Mr. Cynewski comes any closer to
83 the town the council will have to approve the application.

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85 Mr. Hall continued three to four months ago he had asked about the basin being filled in
86 where his mooring is and Derek was supposed to see the Navy yard about it. Derek said
87 he will prioritize looking into that issue this month.

88
89 Mr. Hall inquired as to what will be done about the mooring at the Isle of Shoals he
90 believes is illegal. Mr. Crawford stated that the mooring has already been approved.
91 They can have the mooring inspected but that's about all that can be done. Mr. Hall
92 commented the KPA needs to follow their rules or the rules may as well not exist.

93
94 Mr. Hall finally stated the KPA chair runs the meeting he doesn't run the board. The
95 chair doesn't have more than 1 vote.

96
97 Mr. Crawford wished to discuss the issue of the mooring at the Shoals further. Mr.
98 Lawrence asked Derek who actually owns this mooring. Derek stated they do know who
99 owns the mooring. Mr. Crawford said all the KPA can do is have the mooring inspected.
100 He asked Derek if it doesn't comply can the KPA have it removed. Derek commented

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the mooring has to conform to rules and regulations. If the ball was sinking the owner needs to get it fixed, removing it isn't an option. Mr. Alesse asked for the history on this issue. Mr. Lawrence responded the KPA didn't approve this mooring. Derek stated they did contact the town attorney for advice. The town attorney said to fix the rules and regulations and move forward, it was not worth a law suit. Derek said they contacted the owners about the sinking ball and they have since had it fixed. Mr. Hall inquired again as to what property the owner of the mooring owns because property ownership is in the rules. Mr. Crawford stated he is not sure anything can be done at this point.

8. Schedule for Future Work Sessions

Work session for finalizing the budget was set for Wednesday February 10, 2016 at 6pm.

9. Board Member Discussion

Ms. Philbrook inquired regarding the appeal the harbor master had said would be on the agenda this month. Derek replied the appeal was submitted and reviewed by Mr. Whitman. It was determined the appeal was not complete and it was sent back to the attorney. The appeal will be on the agenda for next month which still falls in the allotted time frame.

Ms. Philbrook asked Derek for an update on getting the Frisbee float fixed. Derek said he will follow up with a phone call on this issue.

Mr. Drummond asked Derek what was the scope of the work on the big float. Derek said the frame on the side is broken, all the cleats have to be replaced and the decking needs to be screwed down. Derek said the prior harbor master had a welder who did this work and he is trying to track down the old company. A board discussion ensued regarding the repairs. Derek said he will put the scope of work into writing.

10. Executive Session

Mr. Lawrence moved to go into executive session.

Ms. Philbrook seconded

Motion Carried: 7-0-0

Ms. Philbrook moved to come out of executive session.

Mr. Lawrence seconded

Motion Carried: 7-0-0

11. Adjourn

Motion to adjourn the meeting was made by Mr. Alesse.

Ms. Philbrook seconded.

Meeting adjourned 7:00 pm