



COASTAL WATERS COMMISSION

MEETING MINUTES
Wednesday, June 14, 2017
6:00 PM – 8:00 PM
West Conference Room

Committee Members:

David Witherill, Chairman
Mike Schwindt, Vice Chairman
David Carlson
Hugh Judge
Brent Sullivan
Richard Thompson
Bob Vail

Town Staff:
Tom Gruber
Charles Rumsey
Milton Calder
Jean Duchesneau

Present: Chairman David Witherill, Mike Schwindt, Bob Vail, David Carlson, Hugh Judge, Brent Sullivan

Absent: Milton Calder, Harbormaster; Richard Thompson

Town Staff: Charles Rumsey, Chief of Police; Jean Duchesneau, Committee Secretary; and Thomas Gruber

1. Call to Order

Chairman David Witherill called the meeting to order at 6:01 p.m.

2. Adopt the April 19, 2017 Minutes. No meeting on May 17, 2017

David Witherill inquired if there were any changes or corrections to the April 19, 2017 minutes and Mike Schwindt advised that on page one, item #3 "Seconded by: Mike Schmidt" is incorrect. His last name was misspelled; it should be Schwindt. A correction will be made.

Motion: To adopt the Minutes
Moved by: Bob Vail
Seconded by: Mike Schwindt
Vote: All Approved – Unanimous

It was noted that there was not a quorum at the May 17, 2017 meeting so no meeting was held.

Motion: To adopt the note that there was not a quorum at the May 17th meeting so no meeting was held.
Moved by: Mike Schwindt
Seconded by: David Carlson
Vote: All Approved - Unanimous

3. Ordinance Updates

- Richard Thompson was to speak with the Harbormaster in Falmouth reference their ordinance language regarding the use and non-use of moorings. Richard was not in attendance at tonight's meeting. David Witherill stated he would like to check with Falmouth to see how they handle derelict or abandoned watercraft.
- Ordinance 48-6 Revision. Mike Schwindt has made some revisions to this ordinance to clean up the language regarding abandonment and or sinking watercraft. After review and discussion, some changes were made to the revision. (The amended revision is an attachment to these Minutes.)

Motion: A motion to adopt re-edited 5/20 version of Ordinance 48-6 as amended tonight.
Moved by: Mike Schwindt
Seconded by: David Carlson
Voted: No further discussion and All Approved – Unanimous

- Ordinance language update on inserting language regarding the collection of monies should the town need to hire a contractor to pump out a boat. Mike Schwindt stated this refers to item C & D of the above ordinance 48-6.
Bob Vail asked if there were any plans for the town to acquire a boat. Chief Rumsey stated at some point in the future we would like to purchase a boat; but in the short term, we would be renting a boat to perform harbormaster tasks. After some discussion, it was also noted that the town should use an insured boat company to pump sinking boats.
- Ordinance language for kayak rentals (storage racks). David Witherill asked Hugh Judge to check with Portland and David Carlson to check with Freeport regarding what those towns charge the public for kayak storage rack rentals and to let us know what they find out at our next meeting. David inquired if our ordinance dealt with dingy tie-ups. Mike stated no, but it would be a simple change to 84-12 (item D). David stated this is an item we should give some serious thought. There was discussion regarding a storage rack for kayaks on land vs on a float. If the rack is to be put on land, then it would fall under the Ocean Access Committee and not CWC to regulate. Further discussions will be needed at future meetings regarding kayak storage racks and the regulating of them.

4. New Business

- Chief Rumsey notified the CWC that Lt. Milton Calder's retirement party is planned for June 22, 2017 from 12:00 – 2:00 p.m. He invited all members to attend.
- Milt will no longer be Harbormaster upon his retirement. However, we have Ben Burnes and Matt Merriman who will be sharing the Harbormaster duties. Both previously worked for DMR and are knowledgeable in Harbormaster duties.
- Basket Island Mooring update: David Witherill stated the mooring got passed on to the Land Trust and there is a mooring out there.
- David Witherill stated there will not be a meeting in July and August 2017. The next meeting will be September 20, 2017 at 6:00 p.m.
- Bob Vail stated it would be nice to see a BCR usage report, i.e. how many visitors were at BCR, how many moorings were actually installed and an overall report of the BCR facility, emailed to the members in mid-summer.

5. Adjournment

Motion: David Witherill made a Motion to adjourn at 6:54 p.m.
Moved by: Bob Vail
Seconded by: Mike Schwindt
Vote: All Approved - Unanimous

§ 48-6 Abandonment of Derelict, abandoned or sinking watercraft.

- A.** No person may bring into or maintain in the coastal and tidal waters of the Town any derelict watercraft
1. that had not been home-ported at a Town mooring immediately prior to such damaged state. The sole exception will be for crew safety. Upon arrival the Harbormaster must be immediately notified of the watercraft's seaworthy status.
 2. for salvage or abandon any watercraft in the coastal and tidal waters of the Town without a permit from the Harbormaster.

B. The Harbormaster shall must notify the master or owner of a watercraft determined by the Cumberland Coastal Waters Commission to be a derelict or abandoned watercraft, when said watercraft lacks a permit, that said the watercraft must be removed within seven days, If the master or owner has not removed it within that time, the Harbormaster is authorized to remove said the watercraft at the master's or owner's expense. except that However, in the event that the Harbormaster determines that said the watercraft causes or threatens to cause property damage, pollution, or is a hazard to navigation, then removal shall must be by the fastest means available. In this case, if contact with the master or owner of the watercraft or corrective action cannot be made within 24 hours after such notice, the The Harbormaster is authorized to remove said the watercraft at the master's or owner's expense. If the master or owner of said watercraft has not removed it after the expiration of the seven days, the Harbormaster is authorized to remove said the watercraft at the master's or owner's expense.

C. If any watercraft is polluting, hazardous to navigation, or in danger of sinking, the Harbormaster may authorize a private contractor to mitigate the damage to or from watercraft at the owner's or master's expense.

D. The owner or master must pay all reasonable costs associated with mitigating loss or damages from a derelict, abandoned or sinking watercraft within 60 days of invoicing. Failure to make full and timely payment will result in the immediate loss of all mooring privileges and continued loss for two years after the debt is paid in full.