

Eliot Town Harbor Commission

Lee Emery - *Chairman*

B. Cabot Trott - *Vice-chair*

Lori A. Howell - *Secretary*

Benjamin P. Brickett - *Member*

Douglas A. Anderson - *Member*

Charles L. Rankie - *senior alt Member*

Richard Russell - *alt. Member*

Minutes of Meeting held July 18, 2016

Approved 8-16-16

1. Roll Call: Cabot Trott, Ben Brickett, Lee Emery, Richard Russell, Charlie Rankie, and Lori Howell were all present. Doug Anderson was excused for the evening. Mr. Rankie was appointed as a voting member.
2. Approve Agenda: The agenda was changed to add back reports of officers and others and it was noted that the order of items 5 a, b, and c should be changed. Upon motion, duly seconded, reports of officers will be added and 5 b and c will be moved up and 5 a will be addressed last. Motion passed.
3. Read and Approve Minutes: The minutes of May, 16, May 23 and June 20, 2016 meeting were approved. It was noted that the Commission had been privileged to have the capable and professional assistance of Christianne McAllister in taking notes and preparing minutes. Her assistance will be missed.
4. Election of Officers: Mr. Rankie made a nomination for a slate for the election; the nomination being for the existing officers to continue to serve. The motion was seconded. Mr. Rankie complimented the current officers and, in particular, noted the Chair's soft, but focused approach. The slate was elected unanimously.
5. Reports: The Harbor Master's report was read. Mr. Rankie pointed out that the report did not contain the information, previously discussed as numbers of renewed or vacant moorings was omitted.

There was a discussion about whether the Harbor Commission needs this information. It was pointed out that the Commission had previously discussed this topic and it had been decided to request this information through the Town Manager. Mr. Rankie read previous minutes where the Harbor Commission agreed to request this information. Mr. Emery stated that he had some personal matters arise during the past month that kept him from making the request. He stated that he will make this request based on this year's applications and renewals. It was agreed that the request will be made for a tally of all moorings in Eliot broken down by the categories as addressed in the Ordinance (resident private, non-resident private, resident commercial, non-resident commercial, etc.).

6. Unfinished Business:
 - a. Discuss proposed timeline- There was lengthy discussion about whether to proceed with preparing the ordinance for a November vote. Mr. Rankie moved

that the Harbor Commission should postpone going before the voters in November. Mr. Trott seconds. Discussion. A friendly amendment was made to postpone until to the June election and that the Chair will write and ask that the Ordinance be pulled back from November, and also to ask for legal comments to date, as well as any other comments from town staff/selectboard, etc. Motion passes 4-1.

- b. Discuss updated news on Ordinance (BOS questions)
- c. Discuss legal review/response of BOS questions

B and c were discussed together. Consensus was reached as to the response to the Selectboard questions as follows:

1. This question addresses the Port Authority's jurisdiction over navigation of large vessels. There are no facilities for large vessels in Eliot. This issue does not require an ordinance change.
 2. The Harbor Commission will be reviewing and adjusting time frames, etc. with regard to appeals.
 3. A riparian may only obtain one mooring as a matter of right. However a person may obtain additional moorings through the application process and order of precedence.
 4. The order of precedence is repeated in the section as it applies both to the initial assignment as well as for the waiting list.
 5. Title 38 requires only that the Waiting List be posted in a public place. The Harbor Commission believes that location of posting is governed by the Town Charter, §8.8.
 6. \$100 is the fee that the statute allows the Harbor Master to collect for removal of a mooring plus the expense. (Title 38 § 4)
 7. The Harbor Commission intended for the temporary assignee to pay the fee which would serve to cover additional administrative costs.
 8. The pennant length is limited under the ordinance to control and limit the swing of a boat in a mooring field.
 9. If the Harbor Master observes unusual behavior suggestive of operating under the influence, the Harbor Master must call the police, marine patrol, or coast guard as conditions dictate.
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7. New Business- None
 8. Good of the Order
 - a. Announcements – The next meeting will be August 15th.
 9. Adjournment: the meeting adjourned at 7:46 pm.

