

Newburyport Harbor Commission
Online Meeting
October 7, 2020
Minutes

1. Call to Order

Chair Andrew Casson called an on-line meeting of the Newburyport Harbor Commission to order at 7:00 p.m. In attendance were Andrew Casson, Bob Dow, Justin Dutcher, Jamie Knapp, Chris Kealey, Adam Armstrong, Jay Lesynski and Ron Thurlow. George Sass was absent. Harbormaster Paul Hogg was also in attendance.

2. Minutes

Justin Dutcher moved to approve the minutes of the September 2, 2020, meeting as amended. Jamie Knapp seconded the motion. The motion was approved by an 8-0 vote (Ron Thurlow, yes; Andrew Casson, yes; Bob Dow, yes; Justin Dutcher, yes; Jamie Knapp, yes; Adam Armstrong, yes; Chris Kealey, yes; Jay Lesynski, yes).

3. Public Comment

Joe Letourneau, Sustainable Fisheries, LLC, 114 Colby Street, Haverhill, said he is concerned about the finances of the fish pier. He made several requests at the Harbor Commission meeting on February 6, 2019, most of which have been addressed. A new hoist was installed and the lights were repaired. He said now the stay cable on the top of the hoist has seized, which has been caused by the lack of maintenance. The fitting must be greased two times per year in order for it to function properly. Andrew Casson responded that the Commission had decided to inspect the hoist annually and maintain it as necessary. Paul Hogg said the company that conducted the inspection does not handle pivot point maintenance. Wilson Welding has looked at the job and is in the process of preparing a quote.

Mr. Letourneau was satisfied that the pivot point is being addressed. He said that he had previously been told that the maintenance had been deferred due to the cost of installing and removing the docks. He said he relies on the municipal facility to make a living and he wants to be assured that funds will be available to perform scheduled maintenance. He asked if the fees collected at the fish pier are being used for other purposes. According to Section 4-73 of the Code of Ordinances, all fees collected at the fish pier shall be deposited into an account known as the fish pier account and revenues deposited into this account shall not be appropriated for any expenses except improvements, repairs, maintenance, and administration of the fish pier.” Mr. Letourneau said he was told by Ethan Manning that a fish pier account does not exist and it is a line item in the budget. He said approximately \$4,500 is received in revenue annually from the fish pier, and if these funds are not in a separate account, there should at least be a budget so funds are available to make repairs or replace failed equipment. He said the hoist must be functional every day and he is concerned that an extended amount of time would be needed to allocate funds for the equipment.

Paul Hogg said the new hoist alone cost \$5,000. It has been inspected and water was added. The lights also have been repaired. He said that the fees from the commercial

Newburyport Harbor Commission
October 7, 2020

fisherman and the fish pier are placed in one account. Most of the fish pier income is from the dock fees paid by the commercial fisherman. Mr. Letourneau argued that because the docks were not purchased through the coastal facilities improvement grant, the cost of their annual maintenance should be separate from the fish pier account. The commercial fisherman use half of the docks and Harbormaster's Department uses the other half. The docks were purchased from retained earnings. A review of the figures might support the separation of the income from the docks and the fish pier, although this would result in less money being added to the fish pier account.

Andrew Casson explained the fish pier is just one of the accounts in the enterprise fund. Every fee that goes into the fund is certified by Massachusetts Department of Revenue. All excess funds are transferred to retained earnings at the end of the year. Any project costing over \$5,000 must be put out to bid. If needed funds were not available in the fish pier account, they would be taken from the line item for additional equipment and services or transferred out of retained earnings with City Council approval. He added the consensus over the years has been that the Commission must support local fisherman. Fees have been kept low, even if this has meant that funds have been withdrawn from retained earnings.

4. Ordinance and Fees

Ron Thurlow shared his perspective regarding the regulation of kayakers on the river. He said risk should be reduced and that most kayakers would comply with the rules. Consideration must be given to the commercial kayak tour operators and launching at the Black Cow should be prohibited. Paddling should be allowed in low risk areas. He said the Joppa ramp is the best place to launch and it should be possible to launch from the west ramp at Cashman Park. Kayakers should not be allowed between the ice breaker and the east ramp at Cashman Park between May 1 and October 1. He suggested that only boats with watertight bulkheads and the minimum length of 12 feet should be allowed at Cashman Park West.

Justin Dutcher pointed out that any language included in the ordinance must be enforceable. Adam Armstrong said the ordinance could simply be expanded to include kayakers, as was discussed at the last meeting. Currently the ordinance prohibits standup paddle boarding, windsurfing and waterskiing from the navigable channel of the river or the mooring area from ice breaker to west of Carr Island. Paul Hogg said that kayakers should not paddle between Carr Island and Cashman Park due to the safety hazard caused by docks. Jay Lesynski said paddlers from upriver need a safe place to take their boats out of the river. Jamie Knapp suggested monitoring the use of the west ramp at Cashman Park for one year. Kayaking would be prohibited between the icebreaker and this ramp. Signage that includes a QR code could be installed showing preferred routes and hazardous areas. The item will be placed on the agenda for the next meeting to allow public comment.

5. Committee Reports

A) Coast Guard City

No update.

Newburyport Harbor Commission
October 7, 2020

B) Dredging

The Army Corp. had no new information to report at the most recent meeting of the Merrimack River Beach Alliance. Mark Cutter now works for the Army Corp. and will be asked to attend the next Harbor Commission meeting to discuss dredging.

C) Waterfront Trust

There has been no action on the lease between the City and the Waterfront Trust. The Ad Hoc Waterfront Committee has begun to meet again. Bill Harris conveyed to Andrew Casson that the City's plans for an expanded park has not placed any emphasis on waterside activities.

D) Public Relations/Community Outreach/Marketing

No update.

6. Harbormaster's Report

Paul Hogg reported:

- the Coast Guard boating response increased over 50% this summer.
- City Council approved the three-month budget. No additional cuts were requested.
- the docks will be removed on October 26 and 27.
- he has begun working on updating the data base for the waterways permits.
- he met with Chris Gray from the Coast Guard about a fuel smell coming from exposed pipes near the old station that have been exposed by erosion.

7. General Discussion

- Ron Thurlow has been asked to serve on the committee that reviews the City ordinances every five years. He will be editing the section that pertains to the Harbor Commission.
- The Commission members should consider their short and long-term goals for discussion at the next meeting.

8. Adjournment

Bob Dow moved to adjourn the meeting at 8:44 p.m. Jamie Knapp seconded the motion. The motion was unanimously approved. The next meeting of the Harbor Commission will be scheduled for November 4.