



TOWN OF JAMESTOWN HARBOR COMMISSION

Minutes of the July 14, 2021 Meeting of the Jamestown Harbor Commission
Approved: 8/11/2021

A meeting of the Jamestown Harbor Commission was held Wednesday, July 14, 2021.
PURSUANT TO EXECUTIVE ORDER NO. 20-05 EXECUTED BY GOVERNOR GINA RAIMONDO ON MARCH 16, 2020, THIS
MEETING WAS TELECONFERENCED VIA ZOOM.

I. CALL TO ORDER AND ROLL CALL

Vice-Chairman Banks called the meeting to order at 5:02 PM with roll call:

Present:

Wayne Banks, Chairman
Michael Junge, Vice-Chairman
Richard Raynes, Commissioner
Eric Lexow, Commissioner
Steven Bois, Commissioner (5:06)
Jessica McCarthy, Commissioner
Dan Wurzbacher, Commissioner

Also in attendance:

Chief Edward Mello, Executive Director
Kim Devlin, Harbor Clerk
Glenn Skalubinski, Harbormaster

II. APPROVAL OF MEETING MINUTES - Review, discussion and/or potential action and/or vote

A. Wednesday, June 9, 2021

Vice-Chairman Banks moved to approve the minutes of the June 9, 2021 Jamestown Harbor Commission meeting; Vice-Chairman Junge seconded. So voted; 6 ayes, 0 nays.

III. OPEN FORUM

A. Scheduled Requests to Address

a. Carolyn Sears – Requesting that her relinquished mooring permit be re-instated

Executive Director Chief Mello stated that Ms. Sears appeared before the Jamestown Harbor Commission at the last meeting and asked to have her mooring permit reissued or to have her placed at a priority position on the wait list. There were four members present at that meeting. A motion was made to approve that request and to direct the staff to issue her a mooring. It was a tie vote and according to Robert's Rules of order that motion failed and no action was taken.

Executive Director Chief Mello stated that Carolyn then reached out to a Town Council member who notified the Town Solicitor and the Town Solicitor, through the Town Administrator, reached out to Executive Director Chief Mello and suggested that Carolyn ask again that the Jamestown Harbor Commission review her request in order to get a full vote on the matter.

Executive Director Chief Mello stated that Carolyn is here again tonight and the Jamestown Harbor Commission should have the timeline of her mooring activity, specifically related to Grace Periods. By the Harbor Management Ordinance, the Harbormaster may grant one Grace Period and any subsequent Grace Periods must be granted by the Jamestown Harbor Commission. In 2013 and 2016 this mooring was Administratively granted a Grace Period. In 2018 another request was made and denied by the Harbormaster and Granted by the Jamestown Harbor Commission. In 2019 another Grace Period request was made and denied by the Jamestown Harbor Commission. An appeal was made to the Town Council and the Town Council approved the appeal and another Grace Period was granted in 2019. In 2020 Ms. Sears made another request for a Grace Period that was denied by the Harbormaster and on July 13, 2020 Ms. Sears sent an email to the Harbor Office stating that she was relinquishing the mooring.

Executive Director Chief Mello stated that we have worked since that time to issue the mooring location to someone off of the wait list. The person that accepted the permit has since backed out and declined the permit offer. We now have someone off of the wait list who has accepted the mooring permit and that has now been put on hold waiting the outcome of the Jamestown Harbor Commission's decision.

Chairman Banks asked why this is back on the agenda.

Executive Director Chief Mello stated because Ms. Sears approached a Town Council member and the Town Solicitor recommended having the matter heard by the full Jamestown Harbor Commission.

Vice-Chairman Junge stated that the person offered the permit has been on the wait list for 10 years and, considering Ms. Sears' four consecutive years of Grace Periods, that person could have been off of the wait list after six years.

Executive Director Chief Mello stated that that is correct.

Commissioner Bois asked how many people are on the wait list.

Harbor Clerk Devlin stated that there are about 130 people on the wait list for Dutch Harbor.

Commissioner Wurzbacher asked if it was correct that a formal letter forfeiting the mooring was received by the Harbor Office.

Executive Director Chief Mello stated that there was an email submitted to Kim forfeiting the mooring.

Carolyn Sears and Pamela Carr addressed the Jamestown Harbor Commission.

Pamela Carr read a prepared statement and began by thanking the Jamestown Harbor Commission members for the opportunity to present their case to retain mooring 306C in Dutch Harbor. Pamela stated her family history in Jamestown began in 1663 and that she is a direct descendant of Caleb Carr, the 3rd Governor of Rhode Island. He was very involved in Jamestown politics and also started our ferry system that ran until the island bridges were built.

Pamela stated that Carolyn is the managing partner of their boat and is a Rhode Island native who has lived in Jamestown for 31 years. The mooring permit was granted in 1998, over 30 years ago and that the tackle has been maintained and inspected according to the Harbor Management Ordinance.

Pamela stated that on February 7, 2020 the Town Council granted their request to retain mooring 306C in Dutch Harbor. In the following months the US shut down due to Covid. The boat was not launched in 2020 because of the virus, not because they were unable. Pamela stated that they are both in the high risk category and they were afraid for their health and safety if they did launch the vessel. Pamela stated that because they are both retired and on a fixed income retaining this mooring is more affordable than renting a commercial mooring. They are requesting the Jamestown Harbor Commission approve their request and allow them to retain mooring 306C in Dutch Harbor. They thanked the Jamestown Harbor Commission for hearing their appeal.

Carolyn added that they were on the waiting list in 1991 and waited 7 years to get their mooring and she realized that it was a big mistake to send that letter giving up the mooring. Carolyn asked the Jamestown Harbor Commission to consider the fact that they were approved to retain the mooring and the Covid hit and that is the only reason they did not use the mooring in 2020.

Chairman Banks stated that you actually gave up the mooring.

Carolyn stated that she did, but it was a mistake and she was isolated for the entire year.

Executive Director Chief Mello stated that there would have to be a motion to reissue the permit back to Ms. Sears and a second.

Chairman Banks stated that there is no motion and that he feels like we made our vote last meeting.

Commissioner Bois moved to revote on this issue; Vice-Chairman Junge seconded.

Commissioner Lexow stated that he doesn't know Ms. Sears and Ms. Carr and he does not have an ax to grind with them but he feels that we are walking across a soft field because anybody, if we vote yes, anybody can come back and go through this process after giving up a mooring. He doesn't feel like that is the image the Jamestown Harbor Commission wants to portray.

Commissioner Raynes asked if he is correct that the mooring has been awarded to somebody on the waiting list and they have accepted.

Executive Director Chief Mello stated that Commissioner Raynes is correct.

Vice-Chairman Junge asked how many other boats didn't put in last year.

Executive Director Chief Mello stated it was less than three.

Commissioner McCarthy stated that she respects the 2020 reason for not using the mooring, that it was a tough year and she does not hold that against anybody. For her it is the five Grace Periods prior to 2020. Commissioner McCarthy stated that they seem like very nice people and it is not personal, but for her it is a nay.

Commissioner Bois stated that he is in the same venue as Commissioner McCarthy. It's a nay from him.

Commissioner Wurzbacher stated that he is of the same mind, but that number of years not using the mooring and the fact that they gave up the permit and its been awarded to somebody else who has accepted it, he is going to vote nay as well.

Chairman Banks asked for a roll call vote.

Commissioner Raynes votes no, Chairman Banks votes no, Vice-Chairman Junge votes no, Commissioner Wurzbacher votes no, Commissioner McCarthy votes no, Commissioner Bois votes no, Commissioner Lexow votes no. The motion does not carry.

B. Non-scheduled Requests to Address- Review, discussion and/or potential action and/or vote

Charlotte Zarlengo, 350 Seaside Drive, addressed the Jamestown Harbor Commission regarding the Head's Beach mooring area. Mrs. Zarlengo owns a small riparian lot north of Head's Beach.

Ms. Zarlengo stated that she can see at least eight boats and three new moorings that have been installed this year and is concerned that her riparian rights are being infringed upon. Mrs. Zarlengo stated that her calls to Kevin Cute at CRMC have gone unanswered and that she has reached out to the Chair of the Jamestown Harbor Commission, Chief Mello, the Town Council President and that she would like to know, in writing the answer to the following questions:

- 1 – Who determines and is responsible for moorings outside of marina areas and specifically at Head's Beach?
- 2 – As a riparian lot owner, why wasn't I notified? Don't I have any rights?
- 3 – Was the Jamestown Shores Association notified and asked about environmental impacts in this area?
- 4- The Conservation Commission planted eelgrass in this area, did they approve these boat moorings?

Mrs. Zarlengo stated that Head's Beach supports a large number of people in the neighborhood and these mooring are greatly increasing the parking problem in this area causing parking to spill over to Seaside Drive and Frigate Street. This is dangerous for people walking and biking.

A discussion ensued.

Executive Director Chief Mello stated that if the Jamestown Harbor Commission would like to engage further on the topic the item should be placed on the agenda and we will provide to you the information concerning the process defining the mooring areas. The plan has been submitted to CRMC and this has been an approved mooring area for a long period of time. We will report to you the history, density, and the parameters surrounding that mooring area.

The Jamestown Harbor Commission requested this item be placed on the August agenda.

IV. EXECUTIVE DIRECTOR MELLO'S REPORT- Review, discussion and/or potential action and/or vote

Executive Director Chief Mello reported that the next meeting will be in person and asked the Jamestown Harbor Commission if the 5PM meeting time will work.

The Jamestown Harbor Commission agreed that they will continue at the 5PM time.

Executive Director Chief Mello stated that the Town Administrator is developing a meeting policy and hybrid meetings may be possible, but this meeting will be in person.

Executive Director Chief Mello stated there is a tentative time for next Wednesday July 21st at 8:30AM for the facilities tour. He will be able to take 3 members. If there is a better time please let me know now.

Executive Director Chief Mello stated we could take a group at 8:30 and another at 10:30.

Executive Director Chief Mello stated that we will focus on West Ferry, Ft. Getty, the mooring field and the aquaculture near the creek.

V. HARBORMASTER REPORT

Harbormaster Skalubinski could not unmute himself.

VI. MARINE DEVELOPMENT FUND BUDGET

A. 2020/2021

MDF YTD Budget- Review, discussion and/or potential action and/or vote

The budget was not available for review.

VII. SUB-COMMITTEE REPORTS

A. Budget - Review, discussion and/or potential action and/or vote

Commissioner Lexow had nothing to report.

B. Facilities - Review, discussion and/or potential action and/or vote

Commissioner Wurzbacher and Vice-Chairman Banks had nothing to report.

C. Mooring Implementation - Review, discussion and/or potential action and/or vote

Vice-Chairman Banks had nothing to report.

D. Traffic Committee - Review, discussion and/or potential action and/or vote

Commissioner Junge had nothing to report.

E. Gould Island Restoration Committee - Review, discussion and/or potential action and/or vote

Commissioner Bois stated that a letter was sent to the Town Administrator asking for support and agreement in establishing a small committee to become a working group to approach political leaders for their support in the restoration project and to support additional activities on the island.

Commissioner Bois reported that David Sommers is trying to organize a presentation in October for the Army Corps of Engineers to show what they have done and their future plans for the island restoration.

Commissioner Bois stated that he and Chairman Banks have volunteered to be a part of that small working group to encourage support of the restoration project.

VIII. LIAISON REPORTS

A. Conservation Commission Liaison - Review, discussion and/or potential action and/or vote

Conservation Commission Liaison Souza was absent.

B. Town Council Liaison Report - Review, discussion and/or potential action and/or vote

Town Council Liaison White was absent.

IX. OLD BUSINESS

There was no Old Business to discuss.

X. CORRESPONDENCE

There was no Correspondence.

XI. NEW BUSINESS

There was no New Business to discuss.

XII. OPEN FORUM – CONTINUED - Review, discussion and/or potential action and/or vote

Commissioner Wurzbacher stated that he was made aware of someone trying to siphon fuel and steal GPS units out of boats.

Executive Director Chief Mello stated that those incidents have not been reported but that he will verify.

XIII. ADJOURNMENT- Review, discussion and/or potential action and/or vote

Chairman Banks moved to adjourn at 5:45 PM; Vice-Chairman Junge seconded. So voted; 7 ayes, 0 nays.

Respectfully submitted,



Kim Devlin
Jamestown Harbor Clerk