**MINUTES**

**Coastal Waters Commission**

**July 13, 2022**

**6 p.m.**

**Freeport Council Chambers**

**Attending:** Dayton Benway, Scott Gleeson, Laurie Orlando, Chair Mark Morrissey, Peter Polovchik, Tod Yankee and Harbormaster Charlie Tetreau

**Excused:** Joe Frazer and Jeff Stenzel,

Chair Morrissey called the meeting to order at 6:01 p.m.

1. Approval of Minutes from June’s meeting

Chair Morrissey advised that he e-mailed the Minutes of the June meeting to Commission members and in an effort to save the Town money, keep our planet green and save trees, he will not print the Minutes any more but will rely on Commission members to have them. He asked if anyone wants to review them or has questions about them?

**MOVED AND SECONDED**: To accept the Minutes as presented. (Gleeson & Yankee) Commission members thanked Sharon for the Minutes and Chair Morrissey for making that happen. **VOTE**: (6 Ayes) (2 Excused-Frazer & Stenzel)

1. Harbormaster’s Report

Charlie advised that he wanted to start off with the airboat situation. A stakeholder group which has members from Marine Patrol, Inland Fisheries and Wildlife, residents from Brunswick, Harpswell, Freeport and Shellfish Harvesters met here yesterday. There is going to be a new hotline which is part of the State Police Dispatch where you can actually log your complaint because the Town has been getting an overwhelming number of e-mails, walk-ins, complaints, etc. The number is 207 624-7076. When someone calls, they will get their location and take down the complaint and whatever else. It will be less confusing that way. He wanted to get a quick reminder out to those who live along the water to pull their kayaks and canoes up high enough so the tide won’t take them away. Last month he had 14 missing small watercraft which was probably due to the high tide at the end of June. Just pulling them up doesn’t really do the trick. Tying them off will save everyone a lot of time chasing stuff around. If anyone keeps an outboard motor on their dingy at the Town raft which a lot of folks do, there is some confusion on whether or not it needs to be registered. Anytime someone puts a motor on any type of watercraft, it needs to be registered whether it is electric or 2 horse, even on the back of a paddleboard. He wanted to make sure folks are clear with that.

Mr. Yankee asked about the self-propelled boards and the fact that they also have electric ones now? Charlie noted they are brand new and technically they do have a propulsion system so they do need to be registered. He will let IF&W handle the first one. He is confident they will become more popular as they get better in technology. Mr. Gleeson asked if there is a rule on the size of the dinghies as far as displaying the registration numbers? Charlie explained that you have to have the actual number that is assigned to that boat. Personally, if he sees a 9-foot punt with an orange sticker on it, he is good with it. Half the time those can wear off too. Charlie mentioned that he made it through the Fourth and it was uneventful which he feels is nice and summer is in full swing and busy.

3. New Business:

                  50 River Rock Lane

Lisa Vickers from Atlantic Environmental noted she is here on behalf of 50 River Rock Lane LLC. They own 50 River Rock as well as an adjacent parcel to the north. They are proposing to install a shared seasonal dock It will consist of a ramp and a 10 x 20’ float. The float will be secured with chains and pins back to ledge. The float will have float skids on the bottom for easier installation and removal but also it will help to elevate it off the substraits because this will be partial tide access for the two properties. It measures 42 feet from the highest annual tide to the end of the float. They are hoping to install it this summer if possible. They have gone to the Army Corps of Engineers and received that approval. Yesterday her co-worker, Tim Forester dropped off a building permit. The Commission has a copy of the Army Corps permit in that application but there is not a copy of that in here. When they applied originally, they didn’t have it but now they do. Because all the structures are in place for less than seven months, they don’t need DEP approval and there is no other development within the 75 feet of the highest annual tides so they are not involved in that. She explained how the ramp would connect to the upland. It is basically shown on Sheet 3 it shows a cross section and there will be an 8” x 8” timber header that will be set in place. This will be constructed by Custom Floats out of South Portland. In the off season they are still working on exactly where these structures will go. They are checking out some places but the intent is they will be hauled off site. They understand the condition that they cannot have it within the coastal wetland during the winter months. The final location has not been determined but they are aware that they cannot have it in the wetland. Abutters were notified and they received all four abutter notices back with return receipt. She offered to answer questions.

Mr. Gleeson noted that the Commission has 30 days to review this until the next meeting. Ms. Vickers advised that she will provide the Army Corps information within the 30 days so the Commission will have it. There were no questions raised.

                  34 Cunningham Road

Lisa Vickers from Atlantic Environmental advised that she is here on behalf of Ellen ZDYB of 34 Cunningham Road. She has an existing dock that consists of a pier 12’ x 20’ and it has a ramp that is 2’ x 14’ and a float that is 8’ x 8’. This one is being done in phases and Tim Forester was here last time and the only concern for this commission is with the ramp and the float. She explained that the pier is in disrepair and they are going through the town for a building permit and the DEP to replace that in kind in the same location and the same dimensions. The ramp is 2’ x 14’ so it is narrow and pretty steep at low tide. The float is 8’ x 8’ and it is a little unstable for the applicant’s use so she is proposing to get rid of those structures and replace them with a 3’ x 32’ ramp and 10’ x 20’ float in the same location that they exist but obviously will extend further out. The distance from the highest annual tide for all those structures is 62 feet from the ramp which is where the highest annual tide starts essentially down to the edge of the float. She clarified that there was an application that they did submit but they did not have mean low water on there and the application that she presented tonight does show the mean low water. She noted the Commission should be aware that there is a revision date and it should be July 12. For this application it is phased so the pier replacement has gone to the DEP and it has been approved but they are still waiting for the building permit. The ramp and float have gone to the Army Corps since this dock predates the Natural Resource Protection Act and they are only changing the dimensions of the seasonal structures so it is only Army Corps approval for that portion and they have not received that approval yet. Once they have it, they will submit the building permit for the ramp and float to Nick Adams in Codes. This will be in the same location as the existing but will extend further in and provide more stability to meet the applicant’s needs. The float will be constructed with float skids and will have ropes back pinned to ledge just on the landward side of this. Island Services from Bowdoinham is constructing this dock. In the off season these will be hauled offsite similarly to the previous application she just discussed. The exact location will need to be determined but it is understood that it will be out of there.

Chair Morrissey asked if this whole thing had been approved years ago? Ms. Vickers noted that she did not know but offered to check in on that and clarify. Charlie advised that the Town didn’t have any information on file. Mr. Gleeson asked if this will be 25 feet longer? Ms. Vickers calculated that it would be about 40 feet. Mr. Gleeson noted that by lengthening the ramp, it would make it safer. There were no questions on the 34 Cunningham project. Ms. Vickers noted she would be back in a month.

53 Spar Cove Road

Chair Morrissey brought up Permits After the Fact and that the Commission has a couple that he received a couple of weeks ago after he put the agenda out. He wants everyone’s input as far as the 30-day waiting period. We can do it like we do every other one or if we get the packet complete and it is already existing, and we are just checking the boxes, we have an option to approve it that night if it meets all the requirements. He would like people’s thoughts but he doesn’t need an answer tonight. This is one of those things that we are probably going to see more of those and he wants to see what people think.

Mr. Gleeson asked if he is saying perhaps getting one that is exceptionally clean and instead of waiting 30 days, just approving it? Chair Morrissey noted the one he looked over so far and received word back checks all the boxes. They just bought the house and it was never previously approved and Nick won’t let them use the ramp until they get it approved. He asked if the Commission wants to make them wait 30 days or if everything is together, we can say okay, yes. Mr. Gleeson asked if this is the particular situation that Carter might have suggested that we had already had it for 30 days? Chair Morrissey replied that it is. Mr. Gleeson explained that he does not want to get in the habit of having pressure to approve these without actually having 30 days because he likes to read these and hates to hold people up sitting in this awkward silence as we are reading them. However, since this one has a bit of a story behind it and if it is fine, he is okay on this one situation only because last meeting it seemed like this was in longer than the traditional 30 days. With that caveat, if Charlie thinks it is clean, he doesn’t have any issues with it but he doesn’t want to get in the habit. Charlie advised that this is just a float extension and he reviewed it. It checks out and was given to the Commission last meeting. It is just a float. Chair Morrissey feels they have already been sitting there for years. It is not a new project. He is confident the Commission will be seeing more of these permitted after the fact. Mr. Gleeson suggested that in this particular item, the fact that it is our Code Enforcement Officer who is not allowing them to use it at the moment. It is summer time and by the time we see it again, the summer will be more than half over. he doesn’t think his vote would be any different next month so he would most likely approve it. He has no problem if the rest of the committee wants to do that. We could make a motion and second it and discuss it and if we either approve it or disapprove it, it would be an efficient way to do it.

**MOVED AND SECONDED**: To approve 53 Spar Cove Road, Map 28, Lot 3ETC as applied for. (Gleeson & Polovchik)

Ms. Orlando pointed out that she is in agreement but feels it would be good to not make it a habit in case we have something more complicated, we have 30 days to review it. Chair Morrissey added that the Commission will see a lot more of these. They are already there. There will be minor modifications to the ramp and the neighbors have observed them there for years. Do we hold them up? We have a short summer and is it really fair?

Mr. Gleeson wanted it noted in the record that this was viewed as an extenuating circumstance that the Commission is making an exception for. It is not really the rule but we are making an exception in order to try to fast track it because it is such a minimal project

**VOTE:** (6 Ayes) (2 Excused-Frazer &Stenzel)

4. Old Business:

                  78 Birch Point Road

Chair Morrissey explained that the Commission saw Peter three months ago and had Mike Morris come out earlier this month. Mike really had no concerns with this project based upon the structure that is being intended to be built. There was an addendum to that project. Peter explained the mooring system designed for this float located in swale which will prevent the float from moving from side to side and bumping against the side of the swale on the salt marsh. It keeps it free from anything of that nature.

Chair Morrissey pointed out that initially they were going to take the floats up on the hill and it is right there and everybody walked by it. It is above the high tide mark. In talking with Mike and Peter it’s an area that he can store that float without having to drag it up the hill. Peter noted there is a little cove on the west side of the property and at the head of that cove, there is a fairly level flat area and they took out 4 or 5 bushes. There are no trees to remove. They have a good spot to put the whole system. This seasonal system comes apart in 12-foot sections and they are stackable so you can probably stack all the sections in two piles and have the ramp and float separately. There is lots of room for that.

Chair Morrissey provided a sketch to Commission members and mentioned that the Commission did do a site walk. Mr. Gleeson feels they have provided everything they asked for and he has no reason to not approve it. Chair Morrissey added that this is a unique spot and feels the Commission did its due diligence because it was a unique situation. He asked Peter to obtain a couple of sentences from the owners that this was approved and Mike’s evaluation was based upon the fact that it was more than a paddle craft on board on this dock. He wants something from the owners saying they understand that they can only have paddle craft on this. The Commission will approve it tonight and then he and Charlie will be done with it. He just wants it documented because of the uniqueness of this dock.

Mr. Yankee asked if somebody goes out and checks the installations after they are resolved? Charlie explained that it is not a habit but if there is a question about it or any follow up from the Commission or someone sees something out of line, he and Nick will go out. Once every other year he and Nick go out and do a big grand tour of the shoreline. He doesn’t plan to go there the day after it is installed and check it out. Mr. Yankee added that he is asking this on this one because it is in such a tight spot and would appreciate Charlie going down and notifying us.

**MOVED AND SECONDED:** To approve 78 Birch Point Road. (Gleeson & Yankee) **VOTE:** (6 Ayes) (2 Excused-Frazer & Stenzel)

29 Castle Road

Mr. Gleeson mentioned that he did not site walk this application but that Charlie went down. Charlie advised that he did check this application out and did not see anything out of the ordinary. There was nothing controversial and the neighbors were notified. There is nothing that bothered him.

**MOVED AND SECONDED**: To approve this application for 29 Castle Road. (Yankee & Gleeson)

There were no further comments, question or concerns raised.

**VOTE:** (6 Ayes) (2 Excused-Frazer & Stenzel)

                  Moorings outside the Harraseeket River

Chair Morrissey advised that he sent everybody information on what Falmouth was proposing to raise their fees in 2020 on their Town dock. In there they had a comparison with other towns and we happened to be in there. He found it interesting what they offered in each location such as water, power, sewerage, bathrooms, parking etc. It helped him come up with an idea because here they obviously are not going to get those amenities at our Town Dock. It helped him come up with an idea in his mind where we should be for a fee. He talked to Charlie and learned that Harpswell is around $50. Cumberland offers a bathroom and parking but basically, they are at $50 as well for their residents. He exchanged an e-mail with Dan Piltch and he said it would be helpful if we wanted to recommend a fee. They may not abide by that but it would also give them a starting point as well if we chose to go down that road. He welcomed other’s thoughts on the subject.

Mr. Gleeson said that the majority of the mooring holders in the Harraseeket (he invited Charlie to back him up) are not using the Town Float. Most of us having their dinghies at Strout’s, HYC’s or Brewer’s. Charlie advised that some use the racks or floats at the Town Dock. Mr. Gleeson added that the majority of mooring holders are not benefitting at all from the Town Dock. He explained that he pays $700 to Brewer’s to park and $700 to Brewer’s for his dinghy. Alex Giannos explained that he is a graduate student at USM’s Muskie Program and is an intern for the Town of Freeport. Over the past month he has been looking at Mooring Ordinances in coastal towns. He has compiled all their fees and found that the average resident mooring fee in a coastal town is $70.32 and the average non-resident mooring fee is $141.68. He has found that Freeport’s Mooring Ordinance does not cover the whole municipality whereas most coastal towns their Mooring Ordinance covers the whole municipality. We are the exception. He has compiled a packet that talks about the different issues that coastal Maine towns are experiencing with moorings. He offered to give the Commission this information if they would provide him with their e-mail addresses. Chair Morrissey thanked Mr. Giannos.

Mr. Gleeson feels it really comes down to if we are using the Town’s floats as a bargaining chip on the fee structure, he would say, “here’s my receipt, I am not using it and I should have a reduced mooring rate.” He is not saying that but feels it is a slippery slope. There could be many people arguing for a reduced mooring fee. It is up to the Council but we could recommend it. Mr. Yankee asked if we are talking about two sets of mooring fees? Are we are talking in the Harraseeket harbor and then are we talking outside? Chair Morrissey clarified that we are talking right now just outside the Harraseeket. Unfortunately, in some of these comparisons they don’t map over equally. In Falmouth and Yarmouth, the locations are all similar whereas we have a unique thing where we have some boats inside the Harraseeket and we have some others outside so we will just tackle outside the Harraseeket but we don’t have to. We can just say we recommend a mooring fee but let the Council do it or say we don’t or whatever we want to do and just proceed forward. If we can come up with a number, we can say yes, this is our number or no, and move on.

On consistency, Mr. Gleeson has a mooring in Falmouth as well and yes, there is a big anchorage but there is also Mackworth which is way outside of Town services and others down the coastline which is the exact scenario we do that is all one consistent fee. As unpopular it is with the people on Flying Point, if we are going to make a recommendation, he can’t have a two-tier system when there is not one municipality within how many miles that does it that way? If the Council wants to override it, let them override it but he does not like the two-tier system.

Ken Mann feels certain there is no sense arguing for no fee with this group. If there is a sense, he will make the argument but he has a proposal he would like the Commission to consider. It sees like governments have plenty of money. Property values in Freeport are going up and our taxes will be going up and when we reach a certain age in life as long-time residents of Maine and Freeport, we get a free Hunting and Fishing License. He would like to propose that people who are over 65 years old, and have had existing moorings, that their fees be waived as a courtesy to these people who have paid property taxes all these years, who enjoy the State of Maine and want to pass their moorings on to their kids who will have to pay when they are younger. He would appreciate the Commission giving this consideration. Mr. Gleeson added that we also look at it as a responsibility to people that live in South Freeport or downtown that don’t have the luxury of having a mooring in front of their house with the frontage they can’t afford. They are essentially subsidizing Charlie when Charlie has to go out there, downtown we are subsidizing that because we don’t have waterfront property. He thinks that is another way to spin it and he too does not like governmental taxes and fees either but he also likes equitable fairness. As a mooring holder when he is paying a fee, he is subsidizing people outside the river should Charlie have to drive out there. If you want to make a rule that you do not intervene outside the river, and you have a magical barrier, and the Town can officially waive, and he doesn’t think you can, ever going out to service outside the river, then he is fine with no fee but he doesn’t think you can by law. That is where he is at.

Mr. Yankee feels there is a two-tier that does make sense because inside the Harraseeket, it does require a lot more management, a lot more oversite. Outside, a lower fee also makes sense because he agrees along the lines of what Mr. Gleeson is saying. Mr. Yankee asked Charlie what we are charging today in the Harraseeket. Charlie advised that the fee for resident recreational is $96 plus $2.25 a foot for a resident. The average boat pays approximately $150.

From the information Mr. Yankee has, he noted that it looks like we are on the high side. He added that a sweet spot for the out of harbor moorings would be $50 or something along those lines. He mentioned to Mr. Mann that in his mind it would not make sense to have it grandfathered. It would have to be for everybody but at $50 it would be a lot less than what it would be in the harbor. Mr. Mann added that the fee is forever and he feels it will take a lot of the local people out of the market. Mr. Yankee disagreed and at $50, he does not feel it would and in his mind, it is reasonable. It would not deter him from putting in a dinghy. Mr. Mann brought up the section talking about 8-foot boats and wondered about his out-haul. Charlie advised that he will update the new version of this. He added a new definition in there that describes haul-outs and that definition is not added in that section so you don’t pay for a haul-out to go to and from a mooring that is 12 feet or less. Mr. Mann advised that he got this info from the Town Clerk yesterday but believes it is not in this draft. Charlie agreed and offered to get him the new version tomorrow. The last moorings are obviously mud flat moorings and what we are doing is beyond mean low water in the sub-title areas so flats moorings. Mr. Gleeson read the definition of out-hauls into the public record and added that it is in the new version. Charlie advised that the other question we had was language added for a property-ownership change. If that becomes an issue later on, we can add it in there but he doesn’t think it will become an issue if there is a property owner that sells their property and someone comes in and says, “I would like to keep that mooring right there.” He does not foresee any issues with that. They can always not have it there and yank it and that is that.

Mr. Yankee mentioned that the haul-out was a 12 foot but in the definitions of the Ordinance, skiff or dinghy is 14 feet and he feels we might just want to make them the same. It was decided that the size should be 14 feet so we can be consistent.

Mr. Mann referred to Page 14 regarding inspections, inspected at the mooring owner’s expense. He added that over the years he has inspected his own. Will he be allowed to do that now? Charlie advised yes, he would. Mr. Mann felt that it is not clear who would inspect it and he would like to see it in writing that the owner is not disallowed from doing his own inspection. Mr. Yankee added that the Commission is not saying that the owner has to hire anybody. It is open. Mr. Gleeson pointed out that the owner is responsible so if the mooring was inadequate and he or she inspected it and it hit his boat, he might come after the owner. Mr. Mann agreed that it is true and probably will be true forever. He referred to the annual on-line registration and feels that once the information is on file, owners should not have to annually do it all over again. Charlie advised that owners will not have to. Mr. Gleeson added that as long as owners check their e-mails, it will remind them to verify their information. Mr. Mann asked about the billing system and asked if owners would be billed or would they have to do it like a car registration and go into the Town Office? Charlie noted that Mr. Mann can pay in the Town office and write a check or he can do it on line. He mentioned it would require a lot of education and him talking with folks through it on the phone. Mr. Yankee noted it works really well and is so much better than the old way

Chair Morrissey asked if a conversation is needed next month or how do we want to move this forward? Mr. Yankee noted there are two things before us. One is the Ordinance and one is what the fee might be? Chair Morrissey agreed and asked if the Commission wants to recommend to the Town Council that moorings outside the Harraseeket should be registered? Do we want to charge a fee? Do we want to give them a fee recommendation? Ms. Orlando asked if they are looking for a recommendation from us on an actual fee? Chair Morrissey explained that Dan Piltch said that if the Commission wants to give the Council a fee recommendation, it will give them a starting point to move the ball forward. That is not saying they will approve it based on what we say but it would give them a starting point but we don’t have to. Ms. Orland feels she is torn on the fee issue and that it will be a pretty big shock to folks.

Ethan Parker pointed out one distinct feature of the Harraseeket River versus everywhere else, he feels people will have problems understanding why a fee is being charged to them when they are outside the river. The Harraseeket anchorage is a very fine limited resource and if you want to take advantage of that, it makes sense that you have to pay for lots of reasons. However, outside of that anchorage there really isn’t a limited resource that needs to be governed and metered out so if he is living outside the anchorage, and the Commission is telling him that he has to pay for a resource that is right in front of his property and the availability of that has not changed and he is getting the same amount of service from the Town as he did before he was paying a fee. It just doesn’t make sense. You feel like you are being charged more for getting nothing except you are being asked to put a number on your ball to make Charlie’s job easier. He is not criticizing any of this. He is just giving his two cents on the issue. It feels like it is a troubling situation and he feels that people will perhaps understand what he just covered.

Mr. Benway apologized for not being here last month. He asked what is the problem we are trying to solve by charging a fee outside the river? Mr. Gleeson feels that he does not like inconsistencies in ordinances or anything else. He doesn’t like the fact that Freeport is the only one. He mentioned Harpswell and that it has a much larger spread-out anchorage system. He also checked with the Harbormaster at Port Clyde and learned that nobody does a different fee because of the proximity to the Town Dock. We are not going to be the rule on that but his job is to have consistency and as far as the resource, his argument is that the fees go towards keeping the waterfront and Charlie and that resource of having a Harbor Master on call when an emergency happens. The Coast Guard will not be coming out. He feels that as long as we are bound that Charlie is a resource that we all pay for in the system, he doesn’t understand the two-tiered system. We are the only town that does it. He is one person and he will go with the flow but he would recommend the full fee and would do it if there were 50 people in the room. He feels it is bad protocol to have a different system as long as Charlie is obligated to be out there when a boat breaks loose or something bad happens or anything like that. Mr. Yankee mentioned that Charlie patrols the area on a regular basis. Charlie agreed and added that he would know too just like we have seen in the last four years with the increase in aquaculture and people just setting 12 moorings in one space and they are renting them out and he has no idea who they belong to. It is sort of a free for all. There are no rules or guidelines enforced out there. Ms. Orlando feels that was the whole point so that a mooring pop out couldn’t happen and also to let the public know that we are watching and keeping track and they can’t just do that. Even if you are a homeowner and you have a place for your mooring and this is where it goes every year, you can’t have all these other moorings you want to put out for your family just because no one is watching. She asked about fees being charged elsewhere. Mr. Yankee pointed out that Charlie sent out a really good spread sheet. Ms. Orlando feels being in the harbor is very valuable for protecting your boat and someone may want to pay more for doing that.

Chair Morrissey mentioned that Carter brought up a good point last month. He made the comment about someone from Hunter Road wanting to throw a mooring out outside the Harraseeket and he can do it right now but what if he throws his mooring in front of Ken’s house? We now know from the State’s perspective, you don’t own the water out in front of your house we have all heard from the aquaculture leases so now potentially this could be an issue down the road and we might have to deal with it. Charlie added that it is an issue right now. He gets complaints of what is this all of a sudden right here? Mr. Gleeson pointed out that seven were dropped at Winslow. Ms. Orlando feels this has to be managed and there should be a fee. She recalled a public comment s few months ago, “we don’t have any problems with our neighbors. It is fine” She added that no one knows who will be moving in to the neighborhood and putting their airboat on a mooring and they might not like that. We need rules already in place and having a fee structure and then we can go from there to see how much it will cost to manage that.

Mr. Benway added that he is with everyone on consistency and he likes the one-fee structured approach. He is struggling between one fee or two different fees. If you get up to $150 outside the river for a mooring, that feels like it is egregious so maybe what needs to be done here is a reset of the base fee more broadly because no one thinks this is a money grab by the town. It is assessing a fee so there is some sort of stick that goes along with requiring compliance with the new registration system. If we reset the fee on the base side, maybe that will be more palatable for the one-fee system and it doesn’t feel like it is unfair to the folks outside the river. Maybe increase the cost per foot in the river and take the base down and only charge the base to everyone. Chair Morrissey feels that is an interesting theory. Mr. Benway added that the people in the river are not now getting a break but you are not charging people outside the river an average of $150 because they are not getting the same service. Mr. Yankee added that he sees two completely different environments in the river and outside and he thinks it is a very clear distinction between the two. He mentioned $50 to throw it out and get some comment on that discussion going on what the amount should be or could be. He thinks that maybe $30 and not having a non-resident fee. A lot of the people who have these moorings are summertime residents or not official residents. They have been landowners and paying taxes a long time. Again, it is not a money grab. It is a little recouping of costs and in his mind, it is reasonable. He likes having the two-tiers. Mr. Gleeson mentioned that Freeport is unique in the footage charge after the base fee. He thinks we are the only ones that do that and Charlie agreed. Maybe everyone has a uniform base fee but because of the perceived tightness of the river, maybe one pays the base fee because it is not as tight outside of the river and we keep the per foot surcharge inside the river. He does not like the two-tier system but this is the only thing he could think makes sense. Mr. Yankee feels the size of boats has dropped down from years past. The size does make a difference in terms of how many more moorings you can fit and also the per foot makes sense to him. Mr. Gleeson noted that he might be able to get behind not doing the per foot outside the river. It makes sense for him but he doesn’t like the inconsistency but we are inconsistent already because people pay a different rate because of the footage. Mr. Yankee asked about having a different base rate? Mr. Gleeson could not support that. Chair Morrissey suggested saying the base rate is $50 because that is what Harpswell charges for anything. If you are in the Harraseeket, in addition you pay the per foot. We can say that to the Council but they may not like it but this is what we came up with to make everybody happy. It is consistent. Mr. Gleeson wants the base rate the same for every mooring outside. Ms. Orlando feels $50 is a reasonable amount of money. Mr. Yankee noted that $50 may be a little high. We have heard that some people would say it is too high. Chair Morrissey pointed out that we heard from someone during the public hearing that had four moorings out in front of their place. He is glad that they have four moorings but they have four because they are free so maybe if we charge a $50 fee, maybe we would cut down on the number of moorings. He does not want it to be such a nominal fee that it is almost ridiculous. He thinks $50 is at the low end of these fees. Mr. Benway feels that if we are going to do it, it has to be something meaningful.

Chair Morrissey asked if we want to table this so we can think about it a little more and also so he and Charlie can come up with a number of raising the per foot fee so next month Charlie can give us an idea on what might be a base fee and then the per foot fee and what it might look like. It might be more agreeable to everybody. Mr. Benway would like to see it in writing and the math behind it and see how it could work. It will not affect Charlie’s budget and Mr. Gleeson does not worry that it will pay for itself. He is not worried about a revenue decrease versus a perceived fairness in the river. The more he is talking about it, he can get behind the idea that in the river, per foot pay to play because you are in a finite amount of space and outside, you should be paying a base fee to offset the cost of the Harbormaster. Chair Morrissey advised Charlie that we will play with the per foot and will come up with options in writing to show what we are looking at and will make a better-informed decision next month.

Mr. Yankee thanked Charlie for sending this stuff out. Mr. Mann pointed out that when someone comes to a Council meeting or all the other Board meetings, copies are at the door when they come in to pick up. He has been to 2 or 3 meetings and it is never there. Chair Morrissey advised that he is responsible for that. He puts everything on the Town website and depending on people to copy at home. He is hoping to avoid a waste of money, trees and a waste of resources. If he puts everything on the Town website two weeks before, people can print it if they need a paper copy. Unless there are objections, he would like to continue doing this. Mr. Yankee pointed out that the applications coming to us are also posted. Mr. Gleeson advised that maybe in this situation because we are dealing with an ordinance, we could have Christine print out a small pile but if there is a room with 50 people, they can share.

**MOVED AND SECONDED:** To table. (Gleeson & Yankee) **VOTE:** (6 Ayes) (2 Excused-Frazer & Stenzel)

            Elections

Chair Morrissey advised that Mr. Stenzel was unable to be here but indicated he would be willing to serve in a capacity we could not get a position filled. Mr. Gleeson mentioned that he rarely nominates or self nominates but because Tod and he tend to be a bit more on the parliamentarian side and we actually have an official note taker, he would either nominate Tod or he would do it as Secretary because he is going to annoy everybody anyway with motions or procedures and Joe is not here again. He doesn’t want to take the wind out of his sales but he got the impression that he would not care. Chair Morrissey agreed this would not hurt Joe’s feelings. Mr. Gleeson added that if we lose Sharon, he will not do the notes. Mr. Yankee noted that he did not feel he could serve in this position because he is also on the Project Review Board. Mr. Gleeson feels it is very awkward since he has never offered himself, but if someone else would like to come forward.

**MOVED AND SECONDED:** To nominate Scott as Secretary, Dayton as Vice Chair and Mark as Chair. (Yankee & Orlando) **VOTE:** (6 Ayes0 (2 Excused-Frazer & Stenzel)

5. Adjournment

**MOVED AND SECONDED:** To adjourn at 7:20 p.m. (Orlando & Gleeson)

**VOTE:** (6 Ayes) (2 Excused-Frazer & Stenzel)

Recorded by Sharon Coffin