

Islesboro Harbor Committee  
Regular Meeting  
Thursday, October 17, 2024  
In- Person Meeting at 6:00 PM, Town Office

APPROVED

1/14/25

MINUTES

Call the meeting to order and establishment of a Quorum:

Chair Ken Smith called the meeting to order and a quorum was established at 6:00 pm.

Members Present: Chair Ken Smith, Earl MacKenzie, Dylan Purington, George Evans, Greg Janney, Gil Rivera and Peter Anderson (6:05pm)

Others Present: Scott DeGrasse, Kerry Pendleton

Others Present via Zoom: Dick DeGrasse, Owen Howell, Josh Conover

Approval of Minutes of July 18, 2024, Regular Meeting.

**Motion: To approve Minutes of July 18, 2024, as written, E. MacKenzie, seconded by D. Purington. No Discussion. Motion passed 6 yes, 0 no, Unanimous.**

Anyone Wishing to Address the Harbor Committee

None.

Follow-up from Last Meeting

- Ken stated he was supposed to get in touch with the Coast Guard to see if it's a law or just a recommendation that a dock or structure would have to be 100' away from the ferry pen. In Lincolnville, the former harbor master was asked to move his bait shack back away from the ferry, and there was a big discussion involving the Coast Guard and the DOT. He did move his bait shed and mooring. On Islesboro, we had someone who had his mooring between the dock and the ferry pen for many years, and he was asked to move his mooring. Based on these two incidents, Ken got in touch with the Rockland office of the Coast Guard and asked if they could give us an interpretation. After going through several people, they ended up saying that they deal with search & rescue, and not law. They gave Ken the phone number for the regional office in South Portland. He was unsuccessful in talking with anyone there. Ken sent an email to one of his nephews who just finished training with the Coast Guard. He contacted someone who will send Ken something in writing. No answer yet.
- Earl stated he talked with all the fishermen and told them they couldn't put their floats on the shore near the Grindle Point ramp this winter. They could come in for a tide or two to unload, but then they'd have to take them back out. There was a little bit of pushback from one fisherman.
- Dylan reported that at Grindle Point, there was a swamped vessel that the owner was able to pump out and haul out.
- PYY and Ethan Spaulding are scheduled to do repairs on the pier sometime after the gear haul-out.
- No more floats ashore, as Earl said.
- Dylan provided a low-tide photo of some of the moorings at Grindle Point.
- Earl provided some professional drone photos of Seal Harbor and Grindle Point. He will transfer them onto vellum and make charts, with legends and coordinates. Good Deeds in Belfast took the PDF file from the drone and made these photos at no charge to us. Over the course of this winter, Earl will work on these maps.
- Ken asked if we can get it done this year. Earl said that's his goal.

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- Dylan wants to begin to look at mooring placement. He would like to talk with Tina and see if there's a list for moorings.
- Is there a waiting list for moorings? Earl answered that it's up in the air, mostly at Seal Harbor now. He's been telling people that the inner part of the mooring field is full. It's through attrition.
- A couple people have asked Dylan about moorings at Grindle Point. Dylan is telling them they need to get on a list, but doesn't know how that works.
- One person filled out a mooring form at the Town Office. Earl said he spoke with that person and told him we had to see if there was anyone here who is no longer going to have a boat on their mooring.
- Dylan stated that if there is a list, there may be people ahead of this person. Earl doesn't know of any.
- Ken stated that if we get to a point where we have a list, we need to stick with it.
- Earl stated that in the course of doing the mooring field charts, we may find a few moorings that are no longer in use, and spaces will become available.
- Dylan stated some of the moorings can be arranged much more efficiently. Some are too close to each other.
- Some people have told Dylan they've been on a mooring list for years. Earl is not aware of this.

How many moorings are in the Harbor Anchorages, Grindle Point and Seal Harbor?

- Earl stated that Seal Harbor has a total about 75 moorings, with probably about 55 in the inside field. At Grindle Point, there's a total of 51, of which the majority would be commercial fishermen.
- Ken stated that we're one of the few places that doesn't charge a mooring fee.
- Pete asked if charging a mooring fee would streamline this process. Earl stated that when it was brought up a few years ago, there was a lot of push-back.
- Pete stated that if we're at a point where there's so much competition that we have people on a waiting list, it might be time to implement a fee.

How are things going with getting ready for winter?

- Ken asked if the fishermen are accepting of the fact that we don't want to have the collision that we had last year. Earl stated that he talked to all of them, and there was pushback from only one. Earl explained the situation and talked about alternatives, but made it clear this is the way it's going to be.
- Ken asked if the shacks are in better condition than they were last year. Dylan stated that, generally, they are in worse condition, because the fishermen are not making as much money this year. The past three seasons, they haven't been doing as well as in previous years.
- Earl stated that some of the fishermen are now only fishing part time. The serious younger fishermen didn't do that bad this year.
- Dylan stated he acquired a small boat that he can keep in the water this winter.
- Earl stated he will keep his commuter boat in the water this winter.

Harbor Master & Deputy Harbor Master Reports

- Earl stated that there were a couple of boats without stickers, and he didn't know who they belonged to. He put them up in the parking lot. He finally found the owners, and they came to retrieve them.
- There were 36 dinghies with stickers at Seal Harbor this summer. Some put their stickers in odd places, instead of on the transom.

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- Earl spoke with Janet about long-term repairs. We're going to need to replace that pier. Janet is going to get in touch with Gartley & Dorsky for engineering. We need to raise it a couple feet. It was completely under water in the storm last winter. Right now, for the winter, we've got a couple rails that need to be refastened, and planks that need more fastenings.
- Earl stated he has spoken with Josh about changing the incline. He hasn't gotten to it yet.
- There's a Safety Committee meeting next week. Earl will attend. He has created a list for Fred of emergency maritime contacts, such as Coast Guard, Marine Patrol, boat yards, and cell phone numbers for after hours. Dylan and Fred will both have these numbers.
- Ken asked who is the first person who gets called in an emergency. Earl answered that the boat yards have boats in the water, as does Seal Island. Earl has a boat in the water. Quicksilver is not really an option after 8:00pm.
- Dylan stated that Nakomis Nelson is running the boat for the Selendys. His number is on the list. Fred has been working with them for emergencies.
- One of the dinghy floats at Big Tree had a pin come loose. Ryan came down with a pin and fixed it. As soon as we get a few more boats off the floats, Earl would like to take out the extra floats, and leave one dinghy float in.
- Earl will keep his red boat upside down on the float for anyone to use if needed, with oars and oarlocks.
- Ken asked if a gurney would fit in Earl's boat. Earl stated it might fit, but it would be a bouncy ride.
- Dylan stated he was looking at an anytime rapid response vessel in the way of a Parker, with a cabin, but the Town is not interested.
- Ken stated that there is a new DMR experimental lease that was approved today. George stated he looked it up. It's the Lindelofs' lease, at Job Island, the Outer Brackett's Channel, for growing kelp.
- Earl stated that there's another one in the cove on 700 Acre Island.
- Earl added that there have been a few Harbor Master approvals with docks and wave shields. Nothing is interfering with navigation.

Preliminary discussion of the proposed FY 26 Harbor Committee Budget

- Ken asked about topics the members would like to have addressed.
- Earl stated they beefed up the moorings at Grindle Point after last winter. The electrical is upgraded.
- Earl suggested we plan for replacing the pier at Seal Harbor.
- Ken stated that the Town of Islesboro contributes \$15,000 to the Lincolnville budget that helps to pay for renovations. If there are things that we should ask the Town to do, we can include that in our budgets. Ken noticed two big derricks driving pilings on the other side, near the oyster farms.
- George asked about the plan for work that needs to be done at the wharf at Grindle Point. Dylan answered that Ethan Spaulding is going to do railings, and PYY is going to do the beams on the deck. This is to remove and replace rotten beams. It will be under \$8,000.
- Ken stated that this isn't in our budget, but the money may come out of the reserve.
- Pete suggested the Harbor Committee get together a list of projects and estimates, so we know how much we should be asking for.
- Pete added he is hung up on the fact that we don't charge a mooring fee of any kind. We've already come up with multiple projects that are going to be multiple thousands of dollars each. In order to maintain the infrastructure, are we going to be able to continue to go to the Town every year asking for

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\$15,000 to \$20,000? We should think about charging people for the use of these facilities to continue the upkeep.

- Earl stated that the traditional argument is that the people who utilize the facilities should have the larger share of paying for them. We presented this argument when asking to implement a mooring fee in the past. We got a lot of pushback, even though we were only talking about \$25 at the time.
- Dylan added that the repairs that we're doing at Grindle Point are addressing issues of rotting beams. These beams are the same age as the rest of the pier. Raising the pier 2-4 feet to get ahead of sea level rise will be hundreds of thousands of dollars.
- Ken asked if we've received a report from the structural engineer who presumably looked the dock. Dylan stated he hasn't heard back, and doesn't have the contact. He thought Ken had the contact.
- George stated that if the Town of Islesboro yearly ponies up \$15,000 for Lincolnville, what is so unusual about asking the Town to pony up \$15,000 for stuff here. Earl replied that with our budget every year, we do ask for money. Pete stated that the more we ask of the taxpayers, we may run into more pushback. It's worth investigating how we can bring in more revenue to offset these high costs.
- Ken suggested planning to raise as many topics as we'd like to see for the budget discussions.
- Greg stated that if we were showing exactly where the money was going, such as to a year-round life safety vessel, we might get more support for a small mooring fee.
- Josh Conover stated that a mooring fee is key to making the working waterfront on Islesboro function, and we shouldn't just keep it to the Town harbors, but put a fee on every mooring around the island. There are close to 1,000 moorings. Northport, Lincolnville, and Belfast all charge for moorings across their whole shoreline. It's important that people realize that the waterfront is our access to the mainland. The fee should probably be \$50. The infrastructure needs a lot of work, not just a band-aid.
- Kerry Pendleton stated he came to discuss the Ordinance.
- George asked about the most current issue of the Ordinance. The most recent revision is 2019.
- George asked Carrie to look up Chapter 142, relating to the floats on the shore. We found §142-20, Rules and Regulations:
  - *Q. Floats are not allowed at any time within any of the shore areas unless:*
    - *(1) It is for a structural repair and written permission has been granted by the Harbor Master or Deputy Harbor Master and then the float is only allowed on the shore area for one week. Under unusual circumstances the Harbor Master (or Deputy Harbor Master) may extend the privilege for one additional week. [Amended 11-20-2019]*
    - *(2) It is September 30 through May 1.*
  - *R. A clear unobstructed passage 50 feet wide shall be maintained between the Grindle Point launching ramp and the east face of Float GP-D. No tackle, gear, floats or mooring shall be permitted in this passageway.*
- Discussion about this Ordinance.
  - Earl stated that this is a decision the Harbor Master can make based on safety and damage.
  - George stated the Ordinance does not disallow floats in the winter. There is a conflict of what the Harbor Master is trying to do, and what the Ordinance states.
  - Earl thinks the Harbor Master has the ability to override this. He thinks it's with permission.
  - Ken stated if the intent of the Ordinance is one thing, the Harbor Master can't overrule intent.
  - Earl stated we could change the Ordinance to put it completely in the affirmative.
  - It would take a Town vote to change the Ordinance.
  - Kerry Pendleton stated the Harbor Master needs to do this right.
  - Dylan suggested sufficient offshore moorings to keep the floats off the rocks.

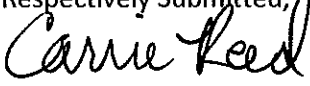
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- Josh stated that the way he reads the Ordinance is that the Town has always allowed floats to be put on the beach from September 30 to May 1. Some people abused that last year, but you can't change the Ordinance without a town vote. You shouldn't punish the fishermen. It sets a bad precedent for Islesboro supporting working waterfronts and the local economy. The west side of the ramp looked bad because that was left to get out of control with junk floats. But others were taking care of their floats and cleaning up.
- Earl suggested perhaps we allow floats only on the east side of the ramp with a certain distance from the ramp. How can we ensure that they'd be adequately secured offshore? Josh stated that it's at the expense of the fishermen, and it's not the Town's job to try to protect personal property; it's the Town's job to make sure it's cleaned up properly. The problem isn't which side of the ramp, it was the junk floats that were brought in.
- Earl stated the ramp needs to be kept clear. There seems to be room on the north side.
- Josh stated he and other attentive fishermen will do their best to keep the floats in good condition.
- Ken feels we need interpretation of the Ordinance from the Town attorney.
- Earl is willing to compromise on this. He sees the fishermen's point and understands the history. We can't have stuff going over the ramp and butting up against the roadway again. He doesn't know if we can count on everyone to do the right thing.
- Ken stated it behooves us to enforce the Ordinance the way the people voted for it. They expect us to carry it out.
- Dylan stated we should strongly encourage the fishermen to set adequate offshores, and set them east of the ramp. Keep the ramp open and keep derelict floats off the shore.
- Scott DeGrasse asked about derelict floats and if there is any way to build inspections into the Ordinance. He's seen floats on moorings that are half sunk. Those are a navigational hazard. Earl added that we could deem these floats not safe to put on shore.
- Earl suggested that maybe fishing floats can be put on shore with Harbor Master approval. Kerry is fine with that.
- Pete stated that he is concerned that this is adding to the Ordinance without proper process. We should not be trying to interpret the Ordinance to make a decision tonight. We should check with the attorney first. Perhaps we need to have an emergency/special Harbor Committee meeting rather than wait for the next regular meeting.
- Josh thinks Earl's suggestion sounds like a change to the Ordinance. He would rather see a junk float on the beach than on a mooring where it will break apart and wreck an expensive boat. A change needs to take place, but we need to change the Ordinance properly.
- Dylan stated that derelict floats are like derelict vessels, and they are hard to deal with. The Town already doesn't have money for what we need.
- Josh stated that this rolls back to charging a user fee for a mooring all the way around Islesboro. That money would stay in the Harbor fund for floats and improvements to the infrastructure.
- Earl stated that his understanding is that the Harbor Master has the authority, if something is derelict or hazardous to navigation, or in the shoreland areas, to ask someone to take it out.
- George stated that what Earl wants to do makes a lot of sense and is well intended. He doesn't want to do nothing. It makes sense to compromise with significant offshore moorings and putting the floats farther east. In the meantime, the Ordinance doesn't allow the Harbor Master to say they can't put floats there.

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- Earl will call the fishermen again and say that they've got to be on the east side, clear of the ramp, and adequately secured out. He will inspect how they are secured. If there's a problem, the fishermen will have to clean it up within a reasonable time.
- Ken will talk with Janet about getting a legal opinion. We need a clarification.
- Gil stated that if anyone wants to change the Ordinance, we need to get started soon. Town Meeting is in May.
- Pete suggested scheduling another meeting in three or four weeks. This sounds unresolved.
- Ken will get back to everyone if we need another meeting in a few weeks.

**Motion to adjourn meeting at 7:16 pm by E. MacKenzie, seconded by G. Rivera. No discussion. Motion passed 6 yes, 0 no.**

Respectively Submitted,  
  
Carrie Reed, Secretary