

CAMDEN HARBOR COMMITTEE
MINUTES OF
December 12, 2013

MEMBERS PRESENT: Chairman Gene McKeever, Richard Stetson, Ben Ellison, Ray Williamson, Sandy Welte, Steve Gold, Ben Cashen, and Harbormaster Steve Pixley.

1. DAYSAILER APPLICATIONS

Chairman McKeever shared a letter he received from Captain Alec Brainerd and Captains Jack & Barbara Moore regarding the addition of a new Daysailer permit.

McKeever stated he does business with most everyone in the room and he would like to declare for the record that he does not feel he has a conflict of interest. His decision will be based on the Harbor Ordinance requirements and nothing personal or business related.

McKeever read pages 18 and 19 of the Camden Harbor and Waterways Ordinance where the Daysailer selection criteria is spelled out under Section 3. Part A and Part C regarding Harbor Committee recommendation criteria and Select Board considerations.

Harbormaster Pixley stated in the 12 years he has been Harbormaster they have accommodated 5 vessels, in the past they have had others but have only approved five. The other daysailers do have concerns with adding another vessel. He had a meeting in his office last week with the daysailers regarding this subject and it was the consensus that another boat added to the town floats would work if it was for longer trips. There is definitely enough flexibility if they were to do all day trips and there are some slots available in the current schedule. He is surprised by the letters received from Brainerd and Moore because at the meeting they were going to give Aaron Lincoln a chance to provide a schedule to see how it might work and now they are saying they don't think it will work. Pixley stated there are two more slots available and he believes it will work if the correct trip is proposed. Ideally he believes two 4-hour trips would work the best.

Committee member Welte stated he thinks the committee should step back and look at the fact that they are an advisory committee when particular problems arise. They should be recommending what is best for the Harbor.

Board members discussed whether or not they should be getting into setting the schedules for the daysailers. They believe that falls under the direction of the Harbormaster and they should not get into the micromanaging of the schedules or lease agreements but they do need to consider the economic health of the current daysailers.

Captain Sean O'Connor (Lazy Jack) stated his concern is with the economic impact with 7 vessels operating. He feels the harbor could probably accommodate an additional 4 hour cruise. His interest is in the welfare of business at the Harbor. They all work well together the way it is and he would like to keep that dialogue.

Captain Aaron Lincoln of OLAD and pending new application for OWL (which operates out of Wayfarer docks) stated first he would like to say he is not comfortable feeling like the other daysailers think he will not communicate. He also had concerns with questions regarding his application for the OWL. He met the deadline and followed the ordinance so if he has done

something wrong if the Harbor Committee could clarify that for him. He said the laws and rules should be printed out somewhere other than having applicant try to translate the intent of the ordinance.

Committee member Ellison stated no ordinance can spell out every single thing; a good working community is a plus. We have two strong letters in opposition. Even though are Harbormaster is positive things will work out he does not feel the Committee should put this burden on our Harbormaster.

Captain Lincoln stated he does not want to take away extra breaks in the schedule; he does not want to change the current schedule. His proposal is not to change things he just sees this as an opportunity for enterprising. He would prefer to have three 4 hour trips. He questions how his competitors can define how he operates his business. That would be like IBM telling MacIntosh they had to stop selling their product.

Committee member Ellison stated he has a hard time recommending this as it seems obvious that he is ready to go and the application came in late and this boat hasn't run with other boats. He thinks he should wait another year.

Committee Members Welte and McKeever both stated he was asked to follow the document and that's what he's done. It shouldn't be based on personal feeling and we shouldn't be micromanaging.

Captain Jack Moore stated when the Harbor Ordinance was being reviewed; the sixth and seventh licenses were kept in the ordinance for the operator who said he/she would like to run all day trips. He is disappointed that Aaron is the one proposing the additional boat because he had knowledge of the intent. He feels that Camden's Daysailer dock is a limited resource and is already maximized. They are not worried about competitiveness.

Committee member Ellison stated he would like it on record that the ordinance does not state they might be all day boats it says they must be all day boats. Also the ordinance stated preference is given to current owners not new buyers. The current license for a daysalier does not automatically go the new owner.

After further discussion it was the consensus of the Harbor committee that their job is to approve/recommend the applications for the Select Board based on the characteristics of the vessels, such as parking and number of passengers and other pertinent considerations. The Select Board may consider in their decision based on the the number of passengers, which the vessel will carry, and its schedule.

Chairman McKeever asked to entertain motions for the Daysailer applications:

Ben Ellison made a motion to accept and recommend the application submitted for OLAD. Sandy Welte seconded this motion. The motion passed on a 5-0-0 vote.

Richard Stetson made a motion to accept and recommend the application submitted for SURPRISE. Ben Ellison seconded this motion. The motion passed on a 5-0-0 vote.

Sandy Welte made a motion to accept and recommend the application submitted for LAZY JACK II. Ray Williamson seconded this motion. The motion passed on a 5-0-0 vote.

Ben Ellison made a motion to accept and recommend the application submitted for LIVELY LADY. Ray Williamson seconded this motion. The motion passed on a 5-0-0 vote.

Richard Stetson made a motion to accept and recommend the application submitted for BETSELMA.

Discussion,

After reviewing the application for BETSELMA, Sandy Welte asked if it was understood that they asking for approval of a permit for a boat that will not be in the water the next upcoming season.

Captain Garth Wells explained they were not sure what to do. Whether they should apply or take a chance and lose their spot while under rebuild.

The Committee discussed that BETSELMA meets all the application requirements, submitted their fee and this boat has been in commission for many years and it still holds their Coast Guard certification. It was also noted if BETSELMA is not running this year then the Harbor would only have four boats running and maybe this would be a good time to try the OWL to see if it will work with the other boats for this year. The committee wanted to make sure that the OWL understands if the application is approved there would be no guarantee they would get approved next year.

The Committee voted on the motion on the floor 5-0-0.

Richard Stetson made a motion to accept and recommend the application submitted for OWL. Sandy Welte seconded this motion.

Discussion,

Committee Member Ellison stated he still remains uncomfortable with the community feeling but if we only have four boats running and this is for one year only he would be willing to recommend approval.

Committee Member Welte stated he did not see how we could not approve it if meets the Harbor Ordinance requirements and the Harbormaster says it will work.

Committee Member Williamson asked if the motion is amended to include that Captain Lincoln is going to amend his application for the OWL by stating that he will be doing two 4-hour trips and one 3 hour sunset trip.

The other members felt it should not be amended because the other applications were not based on their schedule that is not up to the Harbor Committee to recommend.

Captain Brainerd stated he thinks its Mr. Lincoln's intent is to continue to operate out of Wayfarer and fit his down time in where he can on the town float to make a profit.

Committee member Williamson stated another concern should be that the OWL has been scheduling and selling tickets from the OLAD ticket table on the landing, which he feels should not be allowed. The lease agreement for the ticket booth with the Select Board is for the OLAD. He does not feel OWL should be allowed to market their business from the public landing on another lease agreement and the OWL does not have a licensed ticket booth.

Committee member Ellison stated he is not disturbed if the schedule works out but he is concerned with the Harbormaster having to play sheriff on the town docks.

It was the consensus of the Harbor Committee to place Williamson's concern with the selling of other tickets on a future agenda. This meeting is to either approve or not approve the applications for daysailers based on them meeting the criteria.

Chairman called for a vote on the floor to accept and recommend the application for OWL without amending it to include the schedule. The motion passed on a 4-1-0 vote (Williamson opposed).

Aaron Lincoln thanked the committee for their extra effort and time put into this request.

Respectfully submitted,

Janice Esancy
Recording Secretary