

Falmouth Harbor/Waterfront Committee
November 7, 2019 at 7:00 PM
Falmouth Town Hall

Roll Call

Present: Richard Garrett, Richard Craven, Manny Kourinos, Peter Dion, Martin Bruno, Chuck Sanders (Portland Yacht Club liaison), Alan Twombly (Harbormaster), Chief John Kilbride.

I Chairperson's Comments

Explained the Roberts Rules of Order to the public. Thanked Handy Boat, Portland Yacht Club, Town Landing Staff, the commercial entities and recreational entities at town landing that all pitched in during the storm. These storms can hit anytime of the year and the harbormaster, his staff and the whole policing of the anchorage did a great job.

II Approval of Minutes, June 20, 2019 meeting

Richard Craven made a motion that the minutes be accepted. Chuck Sanders seconds the motion. The minutes were approved unanimously.

III Public Forum

John Winslow, Gray Road: wants to express there was no reminder notice that went out for this meeting; no information found online on what was going to be discussed, proposed, etc. The agenda posted was minimal, so it's difficult for the public to understand what will be discussed at this meeting. Feels the Town could be a little better at communicating and getting the information out there. Asked if the floor will open to public comment on agenda items? Richard Garrett answered yes. The agenda doesn't state what has public comment and what doesn't, so it is unclear.

Pete Leavitt: Has questions about where all the money is going and where it's coming from. Knows most comes from mooring holders, some from parking passes, there's a gentleman renting paddleboards – is he being charged for that? Not really showing detailed numbers, so it's difficult to tell what he's looking at. Has two moorings in the family - would like consideration for a reduced fee for additional moorings. Would like to see some conversation about where the costs are for who is using the resources. Saw a note in the report that Handy Boat and Portland Yacht Club mooring users would be using our pump-out all the time, so that's a high use on the pump-out. The numbers don't state exactly how much the pump-out costs us. Is that something that is a significant and material cost that should be considered in this or is that just a convenience for the environment and keeping the harbor clean? Would like to see some acknowledgement to the fact that non-residents are using more of the resources than residents and would like this to be taken into consideration when discussing fee structure.

IV Harbormaster Report

Total moorings for 2019 was 1182 (up from 1137 in 2018). There are 34 people on the resident wait list (same as 2018); only two on the non-resident wait list (same as 2018). The recreational floats were removed on Monday, October 14 by Custom Float. On October 17, we had a big storm – Town Landing did not sustain any damage, neither did the commercial floats. Approximately two dozen boats either broke free of their moorings or capsized on their moorings. On October 31 we had another storm. The only damage Town Landing sustained was some asphalt damage to the parking lot because of the direction of the wind – estimated cost for repairs is \$1,000. The patrol boat was removed on October 31 for the final time and will remain out for the remainder of the season. Commercial floats are due to be hauled out on November 26.

V Agenda Items

A. Mooring Fee Increase Proposal

In June there was a presentation on a fee increase. We have budget accordingly to manage the asset down there. We must put money into the capital improvement fund for future replacement of the floats, pier, infrastructure of the building and pavement. There's a shortfall in the capital improvement budget. We're not meeting the demands according to the financial director, Pete McHugh. It's the Chief's job to bring a proposal or recommendation from the Harbor Committee and the public to the council for review. There would be a process on their end with public feedback before final decision is made to any fee structure.

Overview on the current budget:



The budget to operate the Town Landing facility is \$179,000. This budget amount includes costs for personnel (a portion of the Chief's salary is included), facility and boat maintenance, utilities and insurance.

Capital Assets are \$935,396. This amount comes from the finance director. It includes the pier, floats, building, pump-out, boat and the parking lot.

According to our finance director, we should be putting away \$61,755 a year into our capital improvement account and accruing funds in that account for things that may break or deteriorate down the road. Currently, we are not meeting the demands for future replacement costs.

To calculate the annual depreciation on assets, we would take the budget amount of \$179,000 and add the depreciation of \$61,755 for a total of \$240,755. The 2019/2020 revenue from mooring and dinghy fees is \$162,804. This leaves us with a variance of \$77,196.

Currently, our mooring fees cover \$166,480 (resident, non-resident and for-profit moorings). This is a variance of \$73,520.

Current Mooring Fee Structure:



**Falmouth Current
Fee Structure**

| |
|-----------------------------------|
| Resident (576) @ \$60 |
| Non-Resident(482) @ \$260 |
| HBS(90) @ \$60 |
| PYC(20) @\$60 |
| <u>\$166,480</u> |
| <u>\$-8176 OIM Fee</u> |
| <u>\$4500 Dingy Fee</u> |
| <u>\$162,804</u> |

Current fee structure:

- Resident (576) - \$60
- Non-Resident (482) - \$260
- Handy Boat Service (90) - \$60
- Portland Yacht Club (20) - \$60

These mooring fee revenues accumulate to equal \$166,480. After subtracting out the online mooring fees (total of \$8,176) and adding in the revenue from the dinghy fees (\$4,500), we end up with a total revenue of \$162,804.

The Fee Comparison with Amenities diagram shows surrounding communities (Yarmouth, Freeport, Kittery, Wells, Portland and Cumberland) and their fee structure with amenities as it relates to Falmouth's fee structure with amenities. The numbers showing a plus symbol with the cost listed is representing additional fees (additional charges based on footage of the boat).

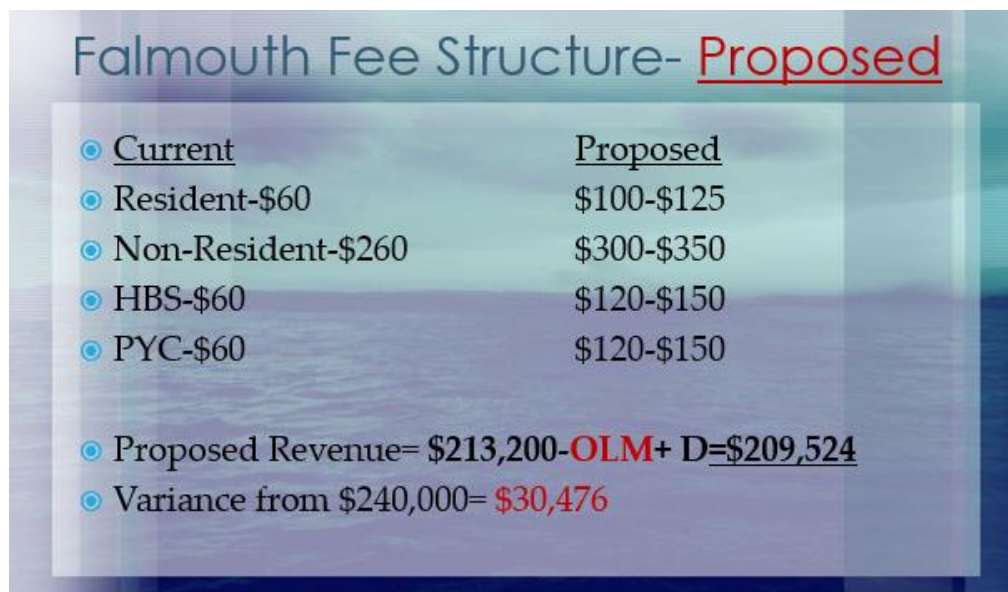
We feel we are well below market value based on the information gathered from these surrounding communities.



| | Falmouth | Yarmouth | Freeport | Kittery | Wells | Portland | Cumberland |
|-----------|----------|----------|----------|---------|--------|----------|------------|
| Resident | \$60 | \$155+10 | \$96+ | \$200+ | \$300+ | \$80 | \$50 |
| Non-Res | \$260 | \$230 | \$391+ | \$200+ | \$300+ | \$160 | \$250 |
| M/Profit | \$60 | \$480 | \$180 | | | | |
| Amenities | | | | | | | |
| Water | Y | N | Y | Y | Y | N | N |
| Power | Y | Y | Y | Y | Y | N | N |
| Sewage | Y | N | N | N | N | N | N |
| Bath/RM | Y | Y | Y | Y | Y | Y | Y |
| Parking | Y | Y | Y | N | Y | Y | N |

There hasn't been a real fee increase in about 20 years, a fee increase that would really affect the operating budget and capital improvement budget.

Proposed Fee Structure:



| <u>Current</u> | <u>Proposed</u> |
|--|-----------------|
| Resident-\$60 | \$100-\$125 |
| Non-Resident-\$260 | \$300-\$350 |
| HBS-\$60 | \$120-\$150 |
| PYC-\$60 | \$120-\$150 |
| <p>Proposed Revenue= \$213,200-OLM+ D=\$209,524</p> | |
| <p>Variance from \$240,000= \$30,476</p> | |

Back in June, we received feedback regarding different ways to get the revenue to where it needs to be. Feedback included increasing launch fees and fees for lobstermen's use of the facility. The committee discussed all options and decided to support an increase to mooring holders at the lower fee proposed: Resident - \$100, Non-Resident - \$300, Handy Boat Service and Portland Yacht Club - \$120.

Using the lower fees that the committee is in support of, we would have a proposed revenue of \$213,200. Once you subtract the online mooring fees and add the revenue from the dinghies, it brings the new proposed revenue to \$209,524. This leaves a much lower variance of \$30,476.

Using the recommendation from the committee and using the lower proposed fee structure, the new fee comparison would like this:



Fee Comparison with Amenities-NEW

| | Falmouth | Yarmouth | Freeport | Kittery | Wells | Portland | Cumberland | | |
|-----------|----------|----------|----------|---------|--------|----------|------------|--|--|
| Resident | \$100 | \$155 | \$96+ | \$200+ | \$300+ | \$80 | \$50 | | |
| Non-Res | \$300 | \$230 | \$391+ | \$200+ | \$300+ | \$160 | \$250 | | |
| M/Profit | \$120 | \$480 | \$180 | | | | | | |
| Amenities | | | | | | | | | |
| Water | Y | N | Y | Y | Y | N | N | | |
| Power | Y | Y | Y | Y | Y | N | N | | |
| Sewage | Y | N | N | N | N | N | N | | |
| Bath/PM | Y | Y | Y | Y | Y | Y | Y | | |
| Parking | Y | Y | N | N | Y | N | Y/L | | |

Based on some feedback received, a diagram was created to show how the fees have changed over the last 20 years:

Fee Increase History-Falmouth

| |
|----------------------------------|
| 1999- Res- \$25--- Non-\$125 |
| 2000-Res-\$50---Non \$175 |
| 2006- Non-\$250 |
| 2010-Res-\$57-OLM---Non \$257 |
| 2017- Res- \$60---Non \$260 |
| 2007 Dingy Res- \$50---Non \$100 |
| 1999- Launch Fee- \$10 |

The \$7 increase in 2010 was to accommodate the online mooring fee.

An item discussed in June was parking fees. Chief Kilbride clarified that these collected fees go into a general fund, not a harbor or police department fund. This past year, we issued about \$1,500 in parking tickets in and around the Town Landing area related to people using the amenities.

In summary, we are bringing this revenue discrepancy to the council, along with feedback collected from today's meeting.

Chairperson Richard Garrett opens it up to public comment on the topic of mooring fee increase proposal.

Public Comment

Peter Lindsey of 440 Monmouth Rd, North Yarmouth – non-resident mooring holder for 25+ years. Understands mooring fees must go up - not for or against the fee proposal. Main concern is with parking. This was the first summer with no place to park. Very limited non-resident spaces. Would like to propose looking into parking at the small park on Route 88. Church has a large lot; maybe negotiate to use their lot? Marking out the five available spaces on the hill might help, as well. Mariner Ln is also used, but parking space has been lost due to a change of parallel parking.

Chris Dyer, CFO at Handy Boat – What did finance director, Pete McHugh, consider for calculating depreciation value, as well as an appropriate replacement reserve? Generally supportive of the idea of incremental fee increases. Would like to propose to the council to consider looking at the rate increase schedule and some type of mechanism to be proportionate across the board (i.e. 5% increase for all). Also, looking for other sources of revenue to offset costs.

John Winslow of Gray Road, Falmouth – Has the committee met since the June presentation? Richard Garrett answered they would have notified the public if the committee had met. Winslow: is there anything that states the facility must be covered by mooring holders? Is the parking lot maintained by Parks/Public Works? Mooring fees that are paid go to general fund and then redistributed into different departments – why does it come down to the responsibility of the people who do not use this facility? We have aquaculture businesses out there and mooring companies that are operating in the harbor. A lot of commercial ventures operating out of that facility for free. Would like to see user fees discussed. Also, would like to know why the town hasn't looked at the Brown Property as a parking option for Town Landing use.

Bob Cheney of White Rock Drive – Needs changes to fees/structure. General use has risen (i.e. the casual user, kayakers, paddleboarders, etc.). Commercial use issue pops up more and more. Believes there are more lobster fishermen than seven or eight stated. They pulled residential floats and left the commercial floats in. The commercial floats are left in for two additional months during the roughest part of

the year. They will get banged up and receive much more wear and tear. Many times, it has been noticed that there was a line of buoys, moorings, dinghies and then lobster traps. If you were a residential person and wanted to tie up, there isn't room. Would like to see the different level of services and the costs associated with those services addressed. Agrees, for instance, that a lobsterman/woman/business should not be charged \$2,000 but should contribute more.

Keith Noyes of Gray Road, Falmouth – Would like clarification on where the fees are coming from. Doesn't find it fair that the mooring holders alone are supporting the facilities costs. There are people using it day after day and not paying any fees. Also, thought the Brown property was supposed to be for overflow parking when Town Landing was full. The ticket revenues go to the general fund and none of that revenue collected is taken into consideration when calculating the increase to the mooring fees?

Committee Comments

Ritchie Garrett, Chairperson – recommending to the council to accept the proposal as is.

Peter Dion – do we know how many mooring holders hold more than one mooring? Harbormaster answered he does not know at this time. Dion is requesting this be researched further to know the number of people who have multiple moorings. Another question from Dion– do we know how many launches we do a year? Harbormaster answered is unsure of the exact number, but a lot of them are residents and we do not charge residents. Aquaculture observation question from Dion – if they are doing commercial launches, not sure how we are addressing that, but maybe we could research this? Harbormaster clarified that currently there are no aquaculture businesses that are accessing from Town Landing. There is an oyster farmer that accesses from Handy Boat. Dion – interesting concept of referring to Town Landing as a public park and use it incumbent upon generating its own operating expense. There is still a \$30,000 shortfall with the new fee structure. Where is that going to come from? Is the operating budget for the Town going to make up for that? Mr. Dyer mentioned a rental versus a corporate mooring. Feels this is a valid point and something that should be researched further.

Richard Craven – doesn't the revenue we get go into the general fund? Chief Kilbride clarifies that it does go into the general fund but gets dispersed back to the harbor. Craven stated he liked the idea of a uniform increase. Understands commercial users put more of a burden on the facility, but feels there is a small percentage of commercial users in Falmouth, so not in favor of raising rates for commercial users.

Manny Kourinos – As a commercial user, no objection to paying a service fee. Agrees with Mr. Dyer to have a discussion every 3-5 years and look at raising rates incrementally. Also, in favor of raising the parking permit fee.

Chuck Sanders – Agrees with the fee proposal but concerned with how funds are getting dispersed. Brown property sitting empty when it could be used to help eliminate the parking issue.

Marty Bruno – Police Department has a great track record of finding money through grants which might help defray costs in the future. In favor of spreading cost to others, for example the parking ticket costs. Feels the increase to mooring fees is a good value and a good mutual step.

Chief Kilbride mentioned the Police Department is looking at increasing the parking fines. Clarification that the fine increase would be more of a deterrent for abusing parking privileges and not for revenue purposes. Chief also stated the Police Department has been successful in obtaining about \$300,000 in grant money for the Harbor, but should not rely on grants because they are not guaranteed.

Ritchie Garrett – It's time for the council to get our recommendation. Either we accept as is or accept the proposal with amendments.

Marty Bruno – made a motion to accept the mooring fee proposal, as presented by Chief Kilbride, with the caveats that are called out in the minutes, to be submitted to the council for review.

Manny Kourinos – seconds the motion.

The committee voted unanimously in favor.

B. Discuss Resident to Non-Resident Ratio Accessing from Town Landing and if we should allow non-residents on the wait list.

Harbormaster – history regarding the wait list: when the council started letting us take several people off the wait list a number of years ago, they said that residents would always have priority over non-residents. As a result, we always have residents on the wait list, so non-residents have never come off the wait list. Research shows that in 2011 we had 126 non-residents that accessed from Town Landing. This year, we only have 86 that are non-resident. That's a difference of \$8,000 in revenue. Suggesting a policy change to state that if a resident doesn't renew, we take a non-resident off the wait list.

No public comment given.

Richard Craven – makes a motion to keep the present policy in place, giving residents top priority over non-residents for moorings.

Marty Bruno – seconds the motion.

Five votes in favor. One committee member recused himself from the voting procedure due to conflict of interest.

C. Discuss Installation of Kayak Racks at Town Landing

Chief Kilbride – Looking at installing a rentable kayak rack for residents who would like to store their kayak down at Town Landing. The area of interest is between the bathrooms and Town Landing Road where there is an access point down to the beach. Baker Consulting was brought in to look at this area for installation of a rack to hold 8-10 kayaks, following permitting requirements and make sure it doesn't impede on the view from nearby residents.

D. Discuss Installation of Wi-Fi Hotspot and Webcam at Town Landing

Chief Kilbride – Has been asked several times about installing a webcam and Wi-Fi hotspot for mooring holders. The webcam would be readily available to look at weather conditions. Price quotes for the both are coming in around \$150 per month with a maximum 25 users with a first-come-first-serve basis. The \$150 per month would be added into the operating budget. Looking for feedback from the committee.

Committee Comments

Ritchie Garrett – in favor of installing the webcam

Richard Craven – great trade-off for increasing the fees, another added amenity

Chuck Sanders – concern with the camera impeding on boater's privacy

Peter Dion – ambivalent about the Wi-Fi hotspot, but in favor of the webcam and maybe a weather station with an anemometer which would give someone looking at the webcam an idea of weather speed and direction.

Manny Kourinos – in favor of the webcam; indifferent on the Wi-Fi hotspot.

Public Comment

Keith Noyes – How many kayaks would be stored on this rack? Where do they access the water at low tide? Chief Kilbride answered the kayaker would have to carry their kayak across the parking lot. Noyes is concerned about motorists. Mentioned the Portland Yacht Club has a webcam at no charge. Suggestion: remove the 7-8 trailer parking spots and replace with spots for cars.

Committee Comments

Marty Bruno – in favor of the webcam, maybe with panning capabilities. As far as the Wi-Fi hotspot, doesn't see a need for that amenity.

Richard Craven – in favor of trying the kayak rack and see if it causes any issues

In summary of Item 5D: the committee would like to follow-up with research on installing a webcam and possibly a weather station down at Town Landing. The Wi-Fi hotspot is not an amenity the committee wishes to pursue at this time. Will have more information for the committee to review in the spring. Planning to implement for next boating season.

Committee Comments

Ritchie Garrett – not in favor of kayak rack installation at Town Landing.

Marty Bruno – Concerns about the amount of space and safety in the parking lot. Safety with launching in and around the docks and limited sightlines which is something to keep in mind.

Chuck Sanders – Concerns around the number of spaces available for kayaks (8-10 kayaks) and the number of residents who may want to take advantage of this amenity. Chief mentioned there would be a permit involved, similar to that of the dinghy permits, on a first-come-first-served basis.

Marty Bruno – this could cause an additional strain on parking.

Manny Kourinos – not opposed to the idea of a kayak rack. Question – limited to residents or offered to non-residents? Chief answered residents only.

Peter Dion – ambivalent to it. The area is strained, so not in favor and not against it.

Discussion regarding the Brown property and why it isn't being used for parking.

E. New Business

Handy Boat representative, Skylar Fugelso, is no longer working for Handy Boat. The committee will be receiving a letter from Handy Boat regarding a replacement representative.

F. Election of Officers

Manny Kourinos nominated Ritchie Garrett; Peter Dion seconds that motion. The committee voted unanimously in favor.

Clarification on the kayak racks to be for residents only, if proceeding with this suggestion. Chief Kilbride confirmed, residents only.

A question was asked regarding the damage to the parking lot and the amount for repairs, if needed. Chief Kilbride stated there are two estimates received. One is for a quick repair which is about \$1,000. The other estimate requires capping the whole corner for about \$8,000. Will meet with Town Manager Poore and Finance Director

McHugh for guidance. Will need some attention or it will get worse through the winter months.

Another concern/question was regarding the dozen boats that capsized or came ashore, were there any ecological impacts or leaking of fuel? Harbormaster answered there were none.

Peter Dion asked for clarification on the process of the mooring fee proposal, with the caveats and questions, to the council. Will the committee receive something back from the council regarding the questions and concerns brought forth? Chief Kilbride stated he will make the proposal in a letter addressed to Councilor Johnson. That will start the process to bring it up for discussion, a public hearing, probably about 3 meetings and some healthy dialog with input from the Chief's office and the Finance Director that they will set forth a fee structure and open up to public comment.

VI Next Meeting

Next meeting is May 21, 2020 at 7:00 PM at the Town Hall Council Chambers.

VII Adjourn

Manny Kourinos made a motion to adjourn and Richard Craven seconds the motion. The committee voted unanimously to adjourn. Meeting was adjourned at 8:49 PM.

Respectfully submitted by Ryann Philbrook.