

TOWN OF IPSWICH

Shellfish Advisory Sub-Committee to the Board of Selectman Meeting Minutes

January 6, 2009

Pursuant to written notice posted by the Town Clerk and delivered to all members, a meeting of the Town of Ipswich Shellfish Advisory Sub-Committee to the Board of Selectman was held on Tuesday, January 6, 2009 at 7:00 pm in room C of the Town Hall. Members present were Bradford McGowan, Gary Collum, Michael Lambros, Elizabeth Kilcoyne, Deputy Shellfish Constable Scott LaPreste, Anthony Murawski, Wayne Castonguay, Town Manager Robert Markel, Shellfish Warden Arnold "Pick" Thistlewood and Recording Secretary Marie Rodgers. Charles Surpitski was not present.

Others in attendance: Shawn Parker, John Pelletier, Andrew & Linda Alexson, Matt Gonet, Joe Kmiec and Tom Palance.

Call to order: Ms. Kilcoyne called the meeting to order at 7:00 pm.

Citizens Queries: John Pelletier of 59 Topsfield Road questioned the status and whereabouts of the cohog and oyster seed. Ms. Kilcoyne replied that one was put in cold storage and the other put in Rowley. Mr. Pelletier remarked that it would be illegal for the seed to go to Rowley.

Andrew Alexson, 19 Juniper Street submitted a page of rules and regulations from the Schofield Act 1934. A copy will be provided for the Board at the next meeting.

Public Hearing:

- Review of Shellfish Rules and Regulations

The Board agreed to approach the review in two phases: Phase 1—Recommend revisions to the Rules and Regulations, with the exception of private grants. Phase 2—Recommend revisions to the Rules and Regulations for private grants.

Ms. Kilcoyne initiated discussion regarding the changes discussed at the last meeting.

Section 1 – Definitions, it was agreed that it was okay as written.

Section 2 – Commercial permits, the Town Clerk and Town Manager will determine the method of establishing criteria for residency.

Fifth sentence strike "mildly contaminated", Mr. Castonguay explained those areas no longer exist; it's either "open" or "closed".

Mr. Thistlewood explained his proposal to change limits from weight to volume, by limiting four racks per clammer. Discussion ensued on the advantages and disadvantages; Mr. Thistlewood reported the racks cost \$22 each. Mr. Murawski suggested a trial period prior to March 15th, with a small number of people using the racks and providing feed back. After discussion the Board concurred that a trial run would be prudent.

Mr. Collum initiated discussion on the weight limit of 180 pounds with a 10% fudge factor. In Essex the limits go up after a closure from 180 to 240 pounds. The Board determined to leave it at 180 pounds.

Lengthy discussion took place regarding compensation for clammers to offset bed closures. It was generally agreed that there are many variables and concerns, along with the complexities of conservation and enforcement. Deliberation took place regarding the leverage the Constable has to make recommendations to the BOS. It was determined that the Town has a system to notify the 125 clammers of changes, such as weight limits, Sunday openings.

Matt Gonet suggested leaving the rules as they are and allow five racks, or increase the weight by 50 pounds, the limit has never been raised; this would eliminate the problems of enforcement and communication issues. Mr. LaPreste said weight limits were instituted when there was no cap on licensed clammers, and he agreed with Mr. Gonet's line of thinking. Discussion ensued and the general consensus of the Board was to keep it simple.

Mr. Lambros reminded the Board that the 5-year management plan has worked, and will be updated soon; the limit could be tweaked.

Ms. Kilcoyne reviewed options 1) Constable to make recommendations to the BOS. 2) Allow five racks, or increase the weight by 50 pounds.

Page 2 – edit the first paragraph by eliminating the first two and one half lines. Discussion was held regarding the fee and it was suggested to separate out the \$50 Shellfish Enhancement Fund from the \$450 permit fee. Mr. Markel suggested beginning a new wait list every year from December 1st.

Mr. Palance initiated discussion regarding the need for clear definitions on the license concerning size limits. Mr. Thistlewood agreed to provide a listing of that information.

Page 2 – paragraph 3 -After a brief discussion the Board determined that applicants will be required to present evidence of a State commercial shell fishing permit for the Town Clerk to copy for her files.

Lively discussion took place concerning free commercial permit for residence over the age of 70. Suggestions were to change “any five years” to the “five consecutive years”; that a commercial licensed clam digger should pay a fee no matter how old they are; drop the price by half, if digging only in the summer months; all clammers should be required to pay into the Shellfish Enhancement Fund. It was noted that there are 13 clammers over the age of 70 and outside of the cap.

► **Revise Commercial Shellfish Application** -Ms. Kilcoyne introduce the next agenda item: the Town Clerk would like to revise the 2009 Commercial Shellfish License Application. Mr. Pellitier suggested a “self sworn testimonial statement” should be added. Mr. Markel offered an option as proof of residency; the applicant could provide the top two inches from their tax return. The date due will be February 28; effective April 1 in the new permit year.

► **Grant Compliance** – Mr. Thistlewood said he reviewed the year end reports and the two grantees are in compliance with the requirements of the State laws and Town regulations.

► **Acceptance of Minutes** -Mr. Murawski moved to approve the minutes of the December 2, 2008 meeting. Mr. Castonguay seconded, the motion passed unanimously.

► **Other Business:** Mr. Thistlewood recommended that Roaring Bull (aka BullRun) be open every day, because of shifting sand the southern end is disappearing and soon there will no longer be any clamming taking place there. The current status is every other day, from December 1 to May 1. It's a winter flat and back when there were fewer calms the Board was trying to conserve the resource. A brief discussion ensued.

Mr. Murawski moved that the Board recommend to the BOS to open Roaring Bull to clamming every day, currently as a winter flat from December 1 to May 1. Mr. Castonguay seconded. The motion passed unanimously. Ms. Kilcoyne said she will bring the recommendation to the BOS for the agenda Monday evening.

Mr. Thistlewood reported that Eagle Hill Landing will be fixed pending Army Corp Engineering and Chapter 91 approvals.

The next Shellfish Advisory Sub-Committee meeting will be January 13, and February 3, 2009 same place, same time.

Mr. Collum moved to adjourn at 8:38 p.m. Mr. Murawski seconded, the motion passed unanimously.

Respectfully submitted,

Marie Rodgers

These minutes were approved by the Board on January 13, 2009.