

Meeting Minutes

Menemsha Commercial Dock Replacement or Repair Committee

DATE / TIME: Monday, November 13, 2023 6:00pm

LOCATION: Chilmark Community Center 520 South Road, Chilmark, MA 02535

The Town Moderator opened the meeting at 6:00pm and provided a brief introduction describing the reason for the meeting. She introduced Jim Malkin, Peter Neilley, and Andrew Nilson. She stated we would hear from all three speakers and then open the floor up for questions.

Jim Malkin made an introduction. He explained that the genesis of this project which began 7 years prior with a group created to compile the issues facing the Town of Chilmark regarding climate change and sea level rise.

Jim explained that out of that group, a new group was formed, spearheaded by Harbormaster Ryan Rossi to begin the process of combatting the issues of sea level rise as far as the docks and infrastructure in Menemsha Harbor were concerned.

Jim explained that this group had been through the process of hiring an Engineering firm to assess the existing condition of the docks and received their findings in phase one. He went on to explain that what this group aims to achieve at this meeting is bringing the findings of the Engineer to the people of the Town to get a sense of what they, the users of the facility, and the Commercial Fishermen feel about it.

Jim went on to say that the point of this meeting and future meetings in regards to this matter is to come to a general consensus about what to do moving forward rather than this becoming another squall that raises in Menemsha. He then turned the discussion over to Peter Neilley.

Peter gave a brief introduction.

Peter began his power point presentation by giving a brief history of the dock and spoke about maintenance and improvements projects that have been undertaken in recent years.

Peter spoke about the findings of the climate working group in 2017. He explained that the docks had always been under water at times, but recently the occurrence had been happening much more frequently.

Tom Ruimerman raised a questions about the information presented in Peter's slides. He mentioned that Peter was basing his chart on IPC 6.0, but that the IPC had recommended 4.5 over the last year.

Peter stated that he didn't believe that Tom's information was accurate and that the more recent study shows that the sea level rise trends are following closer to 7.0 to 8.5.

Peter went on to explain the different models that were created by the climate change committee.

Tom Ruimerman interjected by saying that 4.5 is the moderate number, and not what was being presented by Mr. Neilley.

There was a back and forth disagreement on the numbers between Mr. Neilley and Mr. Ruimerman before moving on with Peter's presentation.

Peter explained that we don't have completely accurate information for how often the docks are under water but that Ryan Rossi had been monitoring it.

Ryan Rossi explained that between Memorial Day and Labor Day the docks are underwater at high tide every two weeks for up to four days at each high tide.

Peter explained that the findings of the group suggest that the dock will be under water every 5 days by 2050 and that by 2075 the dock would be underwater every other day.

Peter explained how the Commercial Dock Repair or Replacement Working group was formed by the Select Board.

Peter explained the process in which the working group moved through Phase one of the project, hiring Childs Engineering to assess the current condition of the dock.

Peter spoke about phase two of the project which he stated was essentially, "what should we do about it." He mentioned that what to do was a blank sheet of paper at this point, and that we could undertake repairs and get a 10 more years out of the current structure, we could think about full replacement of the structure, or something in between.

Peter mentioned that what we are driving to do with this meeting and future meetings is get a community consensus of what to do about the docks and what is right for the Town. He mentioned that what we do after that is going to heavily depend on what we decide to do in phase two, but the most aggressive circumstance is a full replacement which would require lots of engineering and permitting in phase three, before moving into phase four which would be actual construction. He mentioned that based on the findings of phase one in 202, that we do have 5 to ten years of serviceable life left in the docks, but we would not be moving into construction until well through that serviceable life anyway.

Peter explained the sequence of phase two which came directly from the Statement of Work Contract that was created for Childs Engineering to guide us through this process.

Peter explained that we expect a series of these kinds of meetings to gather information on what the Town would like to do before our contractor, Childs Engineering, would go away and be charged with coming up with at least two options for repair or replacement, and bringing them back to the Town for final revisions before sending them back out to complete a full design option for a decision making process by the Town.

Peter explained the price breakdown of each phase of the project. The numbers he stated were 25,000 for phase one, roughly a Quarter Million for phase two, a Half Million for phase three assuming we go all in for a full replacement, and three to four Million for phase four. He stated that it was important to note that this is not the amount of dollars that the Town has spent or would be anticipated to spend in a full replacement. He stated that this kind of project gets a lot of support from State and Federal Agencies that are very keen to help us out. He stated that 80 % of phases one and two had been paid for by grants from Seaport Economic Council that were awarded to the Town, and the SEC had a lot of interest in helping us through this entire project, especially if it is a full replacement. He added that the SEC would not be interested in funding the project if we were to just repair or patch up the existing structure. He stated that if we do decide on a repair option, we probably wouldn't get grants for that and the Town would have to bear the whole cost, but if we do a whole rebuild, these grants would probably pay for 80% of the project.

He stated that if a repair were to cost One Million Dollars, the Town would have to pay full price, and if a replacement cost Five Million Dollars, 80% would be covered and the Town would only need to cover 20% of that cost.

John Larsen raised his hand to ask a question but was asked by the moderator to hold his question until the end of Peter's presentation.

Peter went on to say that there is no guarantee that we will receive grant funding but that the Seaport Economic Council has expressed that they would like to see this project through fruition.

John Larsen was given the chance to speak by the Moderator and stated that when the Chilmark School was built, the Town tried to get grants but were told as a condition of the grant, they would have to build a school for 200 students. He added that the Town decided not to do that. He stated that he was afraid that if we start taking grants that will only approve a rebuild, we might start losing control of what we want built.

Peter responded by saying that John had a really good point and that if the Town wants to keep that control, it may limit the options, but the Seaport Economic Council and the Coastal Resilience program are very much "let the Town figure it out. They don't want to dictate it, they don't want to own those programs, but there are others like the Army Corps of Engineers that would.

John stated that it's easy to say that now, but once you're in the middle of it, you can start to lose control.

Ryan Rossi stated that we are already in the middle of the grant process and that he had visited the Seaport Economic Council twice already, and the Town had received grants for phase one and phase two. He added that for both phases, the Seaport Economic Council had simply heard what we wanted to do and approved the funding without any conditions attached. He added that for both phases, the SEC gave the Town more funding than was needed, and the Town's overall cost was actually less for both phases than what had been appropriated at Town Meetings. He added that the Town still had monies left over from the warrant articles from phases one and two which could be transferred with a Town vote for phase three. He mentioned that the only engagement the group had during each phase has been asking for grant funding.

John Larsen asked if our master plan was part of the grant process.

Peter Neilley responded by saying that demonstrating compliance with the Master Plan was one of the requirements when applying for the grant from the Seaport Economic Council. He added that there were several paragraphs about that. He mentioned that in order for us to keep using SEC grants we had to comply with the Chilmark Master Plan.

Tom Ruimerman made a comment that as we move forward with grants, we have to know any deadlines in advance and whatever the requirements are that they are going to levy on us. He emphasized that it has happened in the past and how it is important to know before accepting grant funding, if there is anything that we will be required to do as a condition of that grant.

Peter stated that that was good advice.

The Moderator asked if there were any more questions for Peter Neilley before turning over the floor to Andrew Nilson of Childs Engineering.

Andrew Nilson gave a brief introduction about his company and where they focus their efforts, and why they decided to bid on this project.

Andrew gave a brief History of his company and spoke about how they focus their attention solely on Waterfront engineering and construction.

Mr. Nilson explained the findings of phase one. He stated that the dock is in need of major repair, and that the infrastructure in question was not terribly unique, but had some special tweaks to it that make it unique.

Mr. Nilson explained how his company used a standard from the American Society of Civil Engineers Waterfront Inspection Manual to complete their initial inspection. For a routine inspection, he added, that they looked at 100% of the structure including underwater with divers. He stated that they conducted a level one inspection and more in-depth readings such as cleaning sections of the bulkhead underwater to gauge structural integrity and steel thickness. He added that they also looked at hardware and utilities using a visual structural inspection.

Mr. Nilson stated that after the inspection, his company formalized their information into a report. He explained that different parts of the structure received a classification ranging from good to critical. "Good meaning its brand new, critical meaning it has no more life." He mentioned that the assessment ratings were defined by the American Society of Civil Engineers.

Mr. Nilson stated that overall, if you look at the entire facility as one, they found that it would be considered to be in fair condition, meaning that the majority of the structural components were sound, but there were some isolated deficiencies that pose a threat in the future.

Mr. Nilson mentioned that the steel bulkhead was in good condition without any significant corrosion overall, but that there were isolated areas that had concerning deficiencies.

Mr. Nilson mentioned that the timber structure is where things really start to fall apart. He mentioned that there is definitely a reduction in structural capacity there.

Mr. Nilson mentioned that there were maybe 5 to 10 to 15 years of life left in the structure, but to get to that 15 years, there would need to be some significant repairs done. He stated that he would give the structure 5 years confidently without doing anything, but to get any further, there would really need to be an effort to keep it useful.

Mr. Nilson showed photos of the structure and mentioned that there is no protective coating on the steel sheet piles, which is something they normally like to see in a steel bulkhead in the marine environment.

Mr. Nilson showed isolated areas of concern along the length of the steel bulkhead. He mentioned that these areas were localized which made them more manageable.

Mr. Nilson showed photos of the timber wharf and isolated areas of concern. The biggest area highlighted was the brackets that hold the wharf to the steel sheet piles. He mentioned that these brackets were the weak link in the entire structure. He mentioned that the brackets all have a reduction in structural capacity and are in need of repair or replacement. He went on to mention that in order to repair them, you need to remove all of the timber wharf, in which case you would have to completely replace it anyway which would be very restrictive and costly.

Mr. Nilson stated what would need to be done to increase the life span of the structure which were: Replacing the rotted timber, patching the holes in the sheet pile, providing protection for the sheet pile for by applying a protective coating, adding sacrificial anodes, or both. He added that the big one would be replacing the brackets that secure the timber wharf to the bulkhead. He added that it was a poor design and they become a major issue because of the time and effort that would have to go into replacing them.

Mr. Nilson asked about what the intended future uses are for the Commercial Dock. He asked if the intended use in 2024 would be the same in 2054. He added that answers to those questions would really dictate what kind of repair or replacement we would be looking at.

Mr. Nilson then turned the floor back to the Moderator who asked the audience for questions.

Denny Jason asked what type of corrosion prevention could be added besides sacrificial anodes.

Andrew Nilson responded by saying that underwater sacrificial anodes would provide the best protection, but within the tidal zone, the steel sheets would need a protective epoxy coating that could be applied underwater. He added that above the water, it would need to be encased in concrete or given the same protective coating as within the tidal zone.

Steven Larsen asked if there were other alternatives of connecting the dock to the bulkhead, or other means of suspending the shore side edge of the wharf.

Andrew Nilson Responded by stating that there were a lot of options for supporting that side of the wharf. He added that early on they did a rough engineering exercise in determining what are three basic options and what are the differences in cost, which were all pretty high, and all required all of the existing timber to be removed. He added that you could put piles on the shore side, but that would have implications with permitting. He added that there were a lot of pros and cons with all of the repair options.

An unnamed member of the audience ask if it was possible to build a wharf on top of what is already there by securing to the surface of the bulkhead that is already in place.

Andrew Nilson responded by saying that you could raise the structure above what is there now, but you would have to look at what the capacity of the bulkhead is, because if you built higher on the bulkhead, it would change the overall assumption of the bulkhead. He added that if a new dock was built higher on the bulkhead, the length of the harbor side piles would need to increase because the existing ones would be too short and the ones that are there would not be able to sustain 30 more years.

Stanley Larsen asked if we could simply place brackets higher on the bulkhead than were there now.

Andrew Nilson responded by showing a photo of one of the brackets in its current location and explained that installing new brackets higher would be difficult because as you move up the steel sheet, you run into the tidal zone which has significant corrosion because it holds moisture and would need to be strengthened. He mentioned that he didn't believe it would be worth it to undertake that kind of repair.

Peter Neilley asked Andrew Nilson to explain the hypothetical options that were part of his presentation.

Mr. Nilson responded by stating one option would be replacing the brackets as is. He went on to explain that you would have to remove the timber wharf and have a construction crew that is willing to work in the wet, and then build up the wharf on top of it. The other option is to abandon those brackets and sort of disconnect the wharf from the steel sheet pile and drive new support piles in place of them, so the dock and bulkhead would be two separate structures. He added that there were a fair amount of piles that would need to be driven for that kind of repair so you wouldn't really be saving money with that option. He added that another option would be different types of support systems in place of the brackets that are in place. He added that we could reduce the number of connections to decrease costs, but then would need to look into strengthening the structure in other areas to account for that.

Peter Neilley asked if Andrew had looked into any replacing the bulkhead and what that might look like and what the scope of that project might be.

Mr. Nilson responded by stating that the majority of the steel bulkhead was in pretty good condition, but he would need to do the calculation of what is it going to be in 20 years, 30 years etc. He explained the cost effectiveness of replacement over repair. He mentioned that there are a lot of positives and negatives to all options, and a lot of options that can be done.

Fred Khedouri asked if there was a standard for the design life if for instance, there was a major replacement undertaken because it relates to the earlier discussion about what the plan is. He asked that if for instance, the Town was to go ahead with a major replacement project and Childs was designing it, what the service life of the design would be.

Andrew Nilson responded by stating that typically a bare bones design is good for 30 years, and that they would recommend adding additional protections to increase that life span including protective coatings and sacrificial anodes. He added that for municipalities, his firm is typically designing structures that can have a life span of 50 years and beyond because everyone is at the 2050 to 2070 window.

Steven Larsen asked if Mr. Nilson was looking to replace the whole steel bulkhead.

Mr. Nilson responded by stating that it was an option, but he is not pushing anything at this point.

Steven Larsen asked if new sheet piles would be driven in front of the bulkhead that is already there.

Andrew said that that would be the intention.

Peter Neilley stated that the three to four Million Dollar cost estimate given during his presentation included driving a new steel bulkhead in front of the current bulkhead. He added that this option would also give us extra land space on the harbor side of the waterfront businesses, which would provide additional space for pedestrian traffic and possibly alleviate some of the pedestrians from walking in the road.

An unnamed member of the audience asked where that cost estimate came from.

Peter Neilley responded by stating that it was a rough estimate from a marine engineer that was conducting repairs to the dock in recent years.

Andrew Nilson stated that he agreed with that rough estimate in his professional opinion.

Steven Larsen asked if we were not talking about replacing the wall, but rather just driving a new bulkhead in front of it.

Andrew Nilson stated that there would be no benefit to removing the existing bulkhead because they could just drive new sheets in front of it, and there would be no removal cost.

Steven Larsen stated that his only other concern would be with all the money thrown at the project, if the main purpose of the dock would still be for Commercial Fishing depending on where the money came from.

Ryan Rossi responded by saying that the Seaport Economic Council funding was supporting the project because they wanted to ensure that we remained a commercial fishing port and supported our commercial fishing industry. He added that what the group aimed to gather at this meeting was whether the Town felt it was better to use grant funding to replace the existing structure, or to use tax payer money to repair what is currently in place. He added that it was important that the final decision was left with tax payers, waterfront business owners and the commercial fishing community because those are the folks who

would be most impacted by the project. He added that a member of the Seaport Economic Council was Ed Barrett who is the Commercial Fisherman's Representative on the Council.

Steven Larsen asked to elaborate on the Commercial Fisherman's Representatives involvement in the SEC.

Ryan Rossi responded by stating that one of the members of the Seaport Economic Council (Ed Barrett) was a Representative of Commercial Fishermen and President of the Massachusetts Fisherman's Partnership. He added that Mr. Barrett's role in the Council was to ensure projects that may impact Commercial Fishermen don't take anything away from the Commercial Fishing industry and that projects such as this enhance rather than limit the abilities of Commercial Fishermen.

Jim Malkin stated that there were a number of grant opportunities that could have been looked into, but were not, because they came with conditions. He added that the group was very aware that we want to do something that has to do with Commercial fishing and we want to have a viable Commercial dock. He added that there have been no strings attached to the SEC grants that we have seen, and if there are in the future, this group would be the first to know about it. He added that we as a group know of our Town's history, and are reluctant to take advantage of any grant opportunity that come with conditions. He added that ultimately this is the Town's decision to make, and if there are conditions that the Town doesn't like, than we won't take it. He added that if there is money available for a viable Commercial Fishing Dock in Menemsha without conditions, that's what we're talking about.

The Moderator read a letter from Deborah Hancock into the record. After reading, she asked if this group anticipated having more meetings like this in the future that would lead to a decision down the road.

Jim Responded by saying yes.

Ryan Rossi stated that The Engineering Firm that was hired had a plan to come back with 50% construction ready options for vetting by the Town before gathering input on those options before going back to complete 100% construction ready plans.

Andrew Nilson spoke about the process moving forward and how this approach is appropriate for the Town of Chilmark because it will give the Town multiple meetings to engage with Childs Engineering and see their options and elaborate on them, ask questions, and let them know what they like and don't like before going back to the drawing board.

Peter Neilley Stated that after we have vetted all of the options, ultimately the Town will have to make a decision. He added that after that decision is made, Childs Engineering will come back with 100% construction ready plans to be voted on by the Town before moving into Phase three of the project.

Marie Larsen stated that she was late to join this committee, but since she had joined, they had talked about this meeting being the initial meeting. She added that we (the working group) understand that everyone is concerned with the happenings in Menemsha, and that our aim is to keep the public informed throughout the process and hold multiple meetings to let the Town know what is going on throughout the process.

Ryan Rossi added that he believes the overall consensus of this subcommittee and Childs Engineering is that there needs to be complete open transparency and as much engagement as possible with the public and those who use the dock so that no matter what is decided, we end up with a project that best serves the Town and those who use it. He added that we as a group will do our best to ensure that this project is in line with the Master Plan, and that any decisions are not made in a vacuum. He added that it is

important that there are opportunities for the public to voice their opinions throughout this phase so that nothing gets left out.

Jeffrey Maida stated that he was confused about the life span left in the dock. He mentioned that we had been speaking tonight about 5-10 years being left in the dock, but that the initial phase one report stated that there would be 10-15 years left in the dock.

Andrew Nilson stated that we could get 10-15 years out of the dock if significant repairs were made, but that if nothing was done we were looking at 5- 10 years.

Jeffrey Maida asked why that wasn't part of the report.

Andrew Nilson stated that it may be confusing in the report and that he didn't have the report in front of him and hadn't looked at the report in some time.

Jeffrey Maida read the three recommendations provided in the initial phase one report which did not include repairing or replacing the support brackets along the steel bulkhead.

Andrew Nilson stated that if you read further in the report, we (Childs Engineering) do state that if you want to maintain the timber wharf, you would need to replace the brackets.

Jeremy Scheffer asked if the brackets would last until the time we could feasibly do whichever repair or replacement project that the Town chooses.

Andrew Nilson responded by saying that in his best engineering judgement, he was fairly confident that they are not going to all fail during that time period and they would probably last until 2028. He added that the original width of the brackets was 3/8 of an inch, and they had deteriorated to less than half of that thickness.

Wes Brighton asked, if we were to move forward with a replacement of the bulkhead, when we would be able to see a cost analysis and learn how much a project like this will cost.

Peter Neilley responded by saying that our next meeting would likely be another discussion like this, but added that if Childs Engineering would come back to the next meeting with some general cost estimates that may be helpful.

Andrew Nilson stated that due to the feedback he had been getting tonight, it may be beneficial to come back to the next meeting with some rough numbers to give an idea of what the cost of certain options may look like.

Steven Larsen asked how many brackets there were along the dock and if there could be more added to strengthen the dock rather than having to replace the existing brackets.

Andrew Nilson responded by saying that he didn't believe that could be done. He stated that the problem would be that in order to do this you would have to add twice as many pile caps.

Steven Larsen asked if they could just be put in higher since the dock would need to be raised anyway.

Andrew Nilson responded by stating that it would require running members longitudinally between the piles to do so, but it could possibly be done.

Andrew stated that there were 97 brackets along the dock and Ryan Rossi added that the brackets were 9 feet apart.

Marie Larsen asked if we had done any emergency repair recently.

Ryan Rossi responded by stating that there was an emergency repair made after a collision with the dock and that during that repair, the construction company noticed that the bolts that held the dock to the brackets had been almost completely worn down. He stated that the contractor recommended that we replace all of the bolts securing the dock to the brackets and that that work had been completed.

Marie Larsen asked if between now and the anticipated time of repair or replacement, there would need to be any work done to the dock.

Andrew Nilson stated that between now and 2027 or 2028 we would need to conduct regular maintenance and keep looking at things in order to keep it safe until construction.

Ryan Rossi spoke about regular maintenance that had been on going and what areas he planned to complete maintenance on between now and the beginning of construction. Ryan added that an example of something that will need to be done is replacing the staircases along the dock.

Wes Brighton suggested that we have someone with hands on experience who would potentially bid on construction, provide cost estimates for the Town.

Andrew Nilson responded by outlining how they go about cost estimation. He stated that he uses costs of recently completed projects, but also seeks advice from Marine Construction companies to ensure that the cost of labor is added into their cost analysis.

Ryan Rossi added that each phase of the project would have to go through a procurement process using a Request for Proposals. He added that when it comes time for construction, we will have to put the project out for bid to all contractors, and that if someone came in with a lower cost estimate, we could go with the lowest bidder.

Jim Malkin mentioned that this was an information gathering session and that we are not rushing into anything. He added that we are aware that the Town doesn't like to spend money, but also realizes that the Town doesn't want to spend money on something that is going to have to be fixed in the near future and cost more money in the end. He added that the Town would ultimately decide which way to go, by vote. He stated that that was his wrap up and thanked everyone in attendance for coming.

The moderator closed the meeting at 7:25pm.