

**Five Mile River Commission
March 31, 2016 Meeting Minutes
The Boardroom, Rowayton Community Center
33 Highland Ave., Rowayton, CT 06853**

Commission members in attendance:

Matthew Marion, Chairman
Wim Jessup, Commissioner
and
Ray Meurer, Harbor Superintendent

Absent: Commissioners John DeRegt and Dirk Leasure

Guests:

Dan Skoumbros, Officer, Darien Marine Police
Derek Mulcahy, Officer, Darien Marine Police
Rich Delallo, Officer, Norwalk Marine Police
Sheila Pettee, Barclay's Landing
Steve Bartush, Norwalk Resident
Norman Edwards, Edwards Marine
Ted O'Neill, All Seasons Marine Works
Keith Cavanaugh, Cavanaugh's Marina
Willis Cavanaugh, Cavanaugh's Marina
Mary Ilchert, Five Mile River Works
George Ward, Five Mile River Works
Tony Carlo, Norwalk Lobsterman
Nikki Fuentes, Downunder Kayaking

Matthew Marion took the chair at 7:30 p.m.

Chairman Marion confirmed the Commissioners had reviewed and unanimously approved the February 25, 2016 meeting minutes electronically, subject to re-confirmation at the Commission's next meeting, which was provided, and the minutes had been filed electronically with Darien and Norwalk within the statutory period. Public notice of the scheduled March 31, 2016 meeting was timely provided and the agenda timely filed with the Town of Darien and the City of Norwalk.

Chairman Marion welcomed representatives from Norwalk's and Darien's Marine Police Divisions, and from the boatyards, marinas, and marine businesses on the Five Mile River, and noted this annual meeting was an excellent opportunity for everyone involved with the River to raise issues of concern and mutual interest. As a starting point, he invited the marine police to share their comments. After noting that they had no significant issues in the River last year, Darien officers Mulcahy and Skoumbros indicated their marine patrols would start May 1st, 2016.

The subject of paddle boards and the use of a personal flotation devices (PFDs), particularly offshore, was then raised. Nikki Fuentes, Downunder Kayaking, confirmed that their customers are always fitted with PFDs, and are directed to follow a specific protocol upon leaving Downunder--crossing and exiting the federal channel in the River immediately after leaving their docks, and following the trail of yellow buoys outside the channel. In response to concerns stated by Officer Mulcahy about not trespassing on private property (above MHW) such as Fish Island, she said Downunder always advises their clients to remain below MHW there, and also confirmed they intend to approach the new owners of Fish Island with a view to arranging a one day cleanup of the shoreline on the island. She also noted that many of the paddleboarders in the River and offshore are not Downunder customers, but admitted there are no identifying Downunder logos on their boards this year, unlike last year.

Tony Carlo said his red lobster boat is often used as a target by kayakers from Downunder, and has been scratched a number of times.

Chairman Marion asked the marine police if they had noticed any boats in the Five Mile River, or in Norwalk or Darien harbor, being used for paid overnight accommodations. They indicated they had not specifically looked for such uses but would do so this summer. He also asked if they monitored boats in river to make sure they display state registration numbers and was told that they do and are interested in speaking to any non-registrants.

On the subject of emergency notifications, Officer Dellalo said that in an emergency, boaters should call 911 or the Norwalk marine police on Channel 16. (As a backup, he noted boaters can call the Norwalk Marine Police at 203.854.3076.) He also encourages everyone to report via email any boat operators who violate the no wake zone (along with their boat's name and registration numbers), and confirmed that photos and videos of the boat would be very helpful. Notifications in Norwalk should be sent via emails to plapak@norwalkct.gov or by to phone the Norwalk Marine Police base station (203.854.3076).

Chairman Marion asked Officer Dellalo if he could provide the Commission with an additional no wake zone buoy; Officer Dellalo said he would see what he could do under budget constraints.

Turning to the boatyards and marina operators, Chairman Marion reviewed the details of the new ground tackle inspection program, including the importance of the two-year inspection cycle, and asked for comments. Norm Edwards confirmed no problems so far. Moreover, Boatworks reportedly is proceeding with inspections and expects to meet the end of April inspection deadline. George Ward asked whether it was feasible to split years for 50% of the mooring inspections. However, Chairman Marion reminded him about the benefits of synchronizing the inspection cycle to ensure that all users knew when their inspections must be completed, and the considerable amount of time given to the marine service providers to complete the inspections.

The question of future dredging was raised by Ted O'Neill, who said he is applying for a permit to dredge his docks. Chairman Marion noted the last dredging of the River was done in 1999 and cost @ \$800,000 in federal funds. The upcoming dredging may cost in the vicinity of \$2.2 million. Keith Cavanaugh asked how much the Commission had saved for dredging and was told the Commission had accumulated \$550,000 from the harbor use fees, with annual use fee collections of \$50,000-\$60,000. The Commission may also be able to utilize state funds in part since funding for small harbor dredging operations is no longer available from the federal government.

Chairman Marion thanked the marine police and marina operators for attending the meeting, and they departed at 7:47 p.m.

The Harbor Superintendent reported that according to the March 31, 2016 income and expense reports prepared by Tammy Papp, 2016 YTD income totals \$27,700 and expenses YTD total \$5,207. Commissioner Jessup questioned the cost of maintaining the kayak buoys. The Commission directed the Harbor Superintendent to draft a bid request for this work to be communicated to marine service providers. He was agreed to submit a bill to Downunder for half the 2016 cost of maintaining the kayak buoy trail.

The Harbor Superintendent also reported the private aids to navigation, as well as the "no wake" and "no discharge" buoys, have been installed, as have the yellow buoys marking the kayak/paddle trail. There has been a surge in interest in moorings this spring. Thirteen boaters will be assigned moorings in the River for the first time, including four from the wait list. By contrast, in 2015 11 moorings were assigned for the first time. He also reported that 89 out of 104 mooring permits had been renewed as of March 18th and that 65 out of 254 boat owners at commercial docks had returned decal applications as of February 12th. The owners of the 32 private docks in the river were emailed an application for decals on March 1, 2016. Three marinas--All Seasons Marine Works, Boatworks and Rowayton Marine Works--are collecting the use fees directly from their customers.

The meeting was adjourned at 8:37 p.m.

The remaining regularly scheduled meeting dates for 2016 are May 5, June 16, July 28, October 20 and December 8. The meetings begin at 7:30 p.m. in the Boardroom of the Rowayton Community Center, 33 Highland Avenue, Rowayton, Conn.

Respectively submitted, Ray Meurer, Harbor Superintendent