

Five Mile River Commission
December 8, 2016 Meeting Minutes
The Boardroom, Rowayton Community Center
33 Highland Ave., Rowayton, CT 06853

Commission members in attendance:

Matthew Marion, Chairman
Dirk Leasure
Wim Jessup

David Snyder, Harbor Superintendent

Absent: John deRegt

Guests:

Steve Bartush
Keith Cavanaugh
Mr. Cavanaugh
Tony Carlo

Chairman Marion took the chair at 7:30 p.m. with a quorum of Commissioners present.

Chairman Marion confirmed that prior to the meeting the Commissioners had reviewed and unanimously approved the September 8, 2016 and the October 8, 2016 meeting minutes electronically, and that the minutes had been filed electronically with Darien and Norwalk within the statutory period. By vote and proxy, the Commissioners unanimously re-confirmed their approval of both sets of minutes. Public notice of the scheduled December 8, 2016 meeting was timely provided and the agenda timely filed with Darien and Norwalk.

The Chairman discussed generally the importance of monitoring the environmental condition of the River during the next year, particularly given the severe algal growth this year. He also advised that the Board Room may be unavailable for a few meetings next year due to the planned renovation of the Rowayton Community Centre starting in May. The proposed 2017 meeting schedule is as follow:

January 12	February 23	March 30	May 4
June 8	July 20	September 7	October 19
December 7			

Next, the Commission discussed its decision to eliminate two river mooring sites previously held by two Cavanaugh family members (“the permittees”) on the grounds that: (i) the moorings impeded safe navigation in the federal channel, (ii) two nearby moorings in the recently consolidated, adjacent mooring string are available for the permittees in 2017, and (iii) the permittees did not use the two moorings in question, as observed by the Harbor Superintendent and two of the Commissioners. The permittees

were concerned that the Commission might reassign the mooring locations. However, by way of assurance, the Commission noted that if it decided to re-permit those two eliminated moorings sites prior to any river dredging activities, it would grant the permittees a first right of refusal, provided they are otherwise in compliance with the applicable ordinances. The permittees then reviewed the mooring map with the Harbor Superintendent and agreed to his proposed locations for the two replacement moorings in the string. The permittees also agreed to install their ground tackle under the direction of the Harbor Superintendent.

Next, Tony Carlo addressed the Commission regarding his lobster boat, Tony C. The current FMR mandate for all vessels to be off moorings by the end of November was discussed. All concurred that Mr. Carlo might need a few additional days after November 30th to shift his vessel from its mooring to an adjacent dock, based on dock availability. Mr. Carlo acknowledged the Commission's deadline and confirmed he would comply in good faith by shifting his vessel to the dock as soon as it became available in the late November/early December.

The Chairman then discussed action items related to the transfer of duties to David Snyder, as the incoming Harbor Superintendent. These items included determining the most cost-effective phone set up, establishing a designated Gmail account, updating online directory listings and connecting with Harbor Master associations. The Harbor Superintendent will report back to the Commission on these points.

The Harbor Superintendent then presented his meeting report, which covered YTD income/expenses, the status of the moorings and private aids to navigation, and the No Wake, No Discharge, and Kayak buoys. The Harbor Superintendent also advised he had notified one mooring permittee, Pete Vitolo, that his mooring privileges had been removed for refusing to comply with the Commission's ground tackle inspection requirements. Further, the Harbor Superintendent confirmed he had notified all individuals on the 2016 mooring waiting list that the wait list was now empty, with numerous open moorings for 2017, and noted he had already received three potential requests for 2017 moorings.

The meeting ended at 8:50 pm. The next scheduled Commission meeting is January 12, 2017 at 7:30 pm in the Board Room, Rowayton Community Center, 33 Highland Avenue, Rowayton, Connecticut

Respectively submitted, David Snyder, Harbor Superintendent.