

**CITY OF NORWALK
SHELLFISH COMMISSION
REGULAR MEETING
MARCH 4, 2021**

This meeting was conducted by Zoom/Teleconference.

ATTENDANCE: Pete Johnson, Chairman; Steve Bartush, Joe Madaffari,
Thomas Mattera

STAFF: Thomas Closter

POLICE: Sgt. Peter Lapak, Norwalk Marine Police

ADVISORY: Joe Schnierlein, Water Quality Chair; Geoff Steadman,
Consultant.

GUESTS: Tim Pramer

CALL TO ORDER

Mr. Johnson called the meeting to order at 7:15 p.m.

ATTENDANCE

Mr. Closter announced that a quorum was present.

PUBLIC COMMENT

There was no public comment at this time.

TREASURER'S REPORT

Mr. Mattera said that all the bills were paid. There was a delay in paying the phone bill due to some personnel issues.

Mr. Closter then updated everyone on the financial balances. There are no outstanding invoiced. The new permits and maps have been delivered to Fisherman's World.

Mr. Bartush said that they had not received the payments from Fisherman's World for the tide calendars ads. Mr. Mattera said that they had forgiven all the boat captains and Fisherman's World. Discussion followed.

**** MR. MADAFFARI MOVED TO SUSPEND THE AD CHARGES FOR 2021 TIDE CALENDAR AND RESTART THE FEES IN 2022.**

**** MR. MATTERA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

SECRETARY'S REPORT

Mr. Bartush said that he would like to discuss the items in New Business.

**** MR. MADAFFARI MOVED TO APPROVE THE SECRETARY'S REPORT.**

**** MR. MATTERA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

COMMITTEE REPORTS

A) Health Department – Mr. Closter said that there were 4 closures in February and 1 notification of bypass from sewage treatment.

B) Wastewater Treatment Plant – No report.

C) Water Quality – Mr. Schnierlein said that the Committee had discussed SOS report. Mr. Harris had given a presentation on the water sampling. Testing was done where the excavations were done and there were no changes after the work was done. Mr. Crespo has started working on the sond data.

D) Permits – Mr. Mattera said there were no updates. He asked if they had made any decision about some permits. He was told there was no decision made. Discussion followed about the Harbor Use fees.

Capt. Pramer said that he had not heard anything about new fees and there had not been a good set for a number of years. Capt. Pramer said that he had not known he should be talking with the other oystermen, but cautioned everyone that there was not a lot of produce out there. Discussion followed.

E) Police – Sgt. LaPak said that they have been checking the beaches on a daily basis.

F) Advisory – No report. The water temperature is 35 degrees.

G) Harbor Management – Mr. Steadman said that the Harbor Fees requires approval from the Common Council. One thing they are looking at is how the Five Mile River charges.

No one has heard anything about the status on the Eversource project.

There was a long discussion about the DOT's vessel relocation proposal. It was agreed that the Harbor Commission is not in favor of locating the vessels between the two bridges.

- ** MR. BARTUSH MOVED TO APPROVE THE COMMITTEE REPORTS.**
- ** MR. MATTERA SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

OLD BUSINESS

- **Walk Bridge** – No report.
- **Eversource** – No report.
- **Fees** – No report.

NEW BUSINESS

Mr. Bartush said that he had gotten an application from Mr. Hiltz and last week the NHMC tabled the two applications for additional information. He asked Mr. Steadman to give an overview of the request for the additional information.

Mr. Steadman said that the Charles Creek application has a navigation channel and the dock avoids the dredge channel, but the docked boat borders the channel. There are also some questions about the side slope of the channel. There are also docks upriver. He noted that the plans were not prepared by a professional engineer. The NHMC is asking that the dock be located closer to the shore.

- ** MR. BARTUSH MOVED TO TABLE THE APPLICATION FROM MR. HILTZ IN ORDER TO HEAR INFORMATION FROM HARBOR AS THE HARD COPY WAS NOT RECEIVED IN A TIMELY MANNER.**
- ** MR. MADAFFARI SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The discussion moved to 26 Shorefront Park. The jetty had numerous violations dating back to 2019. The State has asked the Shellfish Commission for their opinion regarding potential dredging at the site.

- **MR. BARTUSH MOVED THAT THE COMMISSION OBJECT TO THE DREDGING DUE TO THE PROXIMITY OF THE SHELLFISH BEDS AND FURTHER MOVED THAT THE VESSEL NOT SIT ON THE BOTTOM AT THE LOWEST TIDE CYCLE.**
- ** MR. MADAFFARI SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

Mr. Johnson recommended that the photos be sent also.

Mr. Bartush said that he had been asked for his opinion for the \$1,000 fee. He felt this was wrong due to the number of boats owned by the shellfish companies. Mr. Mangels suggested \$100 per boat. A discussion followed about what the Harbor Use fees would cover, such as the rowers, wind surfers, jetskis and the smaller sailboats. Mr. Bartush said that it was his understanding that it would apply to docked and moored vessels. Mr. Bartush pointed out that the municipalities need to have skin in the game for dredging costs.

The discussion then moved to the fact that the City Code Enforcement Officer was laid off recently. Mr. Johnson will contact City Hall about this issue.

Mr. Schnierlein mentioned the recent legal decision regarding the authority of the Greenwich Harbor Commission ruling on a dock which was over ruled by the judge. The judge issued a decision that the Harbor Commission has no authority to make any recommendation on DEEP issue. Mr. Steadman said that the decision is being appealed and if the ruling stands, the municipalities will lose local control.

NEXT MEETING

- The next meeting is scheduled for April 1, 2021 @ 7:15 p.m. via Zoom

ADJOURNMENT

**** MR. MADAFFARI MOVED TO ADJOURN.**
**** MR. BARTUSH SECONDED.**
**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:57 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services