

**City of Norwalk
Shellfish Commission Meeting
Sept. 3rd, 2009**

Before meeting was called to order, City Clerk, Mrs. Ellen Wink, administered oath of office to Commissioners Bates (new), Casagrande, and Johnson (reappointed). Mrs. Wink and her husband then left the meeting.

CALL TO ORDER 7:08 PM

ATTENDANCE

Commission: Jack Casagrande, Pete Johnson, Dr Frank Serena, Doug Bates, John Frank
Staff: Tom Closter
Police: Sgt. Peter LaPak
Advisory, Harbormaster Mike Griffin, Dave Hopp
Guest: Doug Stabell sr, Doug Stabell Jr, Raul Debrigard, Susan Provost, Ellen Wink, Gary Wink

SPECIAL PRESENTATION

With no objections, agenda was suspended to allow Mr. DeBrigard and Ms, Provost, from Northeast Utilities Service Co. present latest update on remediation planning for cable corridor within the harbor. There was considerable discussion and a pilot project is proposed to restore natural contours in two small areas, one just north of Little Hammock, where trench depths remain up to 3.5 ft and another, north of the channel on our natural bed, where trench depths are only 1.5 ft. Local commercial captains Dave Hopp and Doug Stabell have agreed to put down the shell for NU after DEP has signed off on the project.

Motion by Comm. Johnson 2nd by Dr Serena to approve pilot project using only native shell from Long Island Sound.

INTRODUCTION of COMMISSIONER BATES

Newly appointed Commissioner Garry "Doug" Bates was introduced and welcomed by the commissioners. He indicated there is a lot to learn and he intends to listen carefully for a while.

MINUTES OF LAST MEETING

August minutes approved by Comm. Johnson, 2nd by Dr Serena

TREASURER

Comm. Johnson reports:

	NAME	DATE	AMOUNT	REASON
BALANCE		7/31/2009	\$11,278.59	
DEPOSIT	interest	July	\$12.00	
	interest	August	\$12.00	
	Fisherman's	8/10/2009	\$4,325.00	Permits

	World Fisherman's World	8/10/2009	\$3,751.00	permits
EXPENSE	AT&T	phone	(\$69.13)	
	Norwalk Luggage	pouches	(\$300.00)	
BALANCE		8/31/2009	\$19,009.46	
	last year	8/31/2008	\$14,927.49	
	two years ago	8/31/2007	\$22,646.79	

Bill from Norwest Marine, was discussed and amount is correct, and needs to be paid. Sgt Lapak will turn invoice over to Comm. Johnson. Comm. Johnson suggests boat should be stripped, dried out, and resealed to prevent blisters, if it is kept in the water all year. He will explore getting that done.

SECRETARY

Comm. Frank reports

Tim Pramer has asked for another clam permit and submitted a check. There has been discussion about the requirement for transplanting, for the commission before another permit is issued. Pramer has not transplanted for the commission in the four months this year he has had clam permits. New permit was approved by the commission, but clear understanding of transplant requirement is needed. Comm. Frank will make up permit and turn check over to Comm. Johnson.

Application by David Woodward, discussed last month, has been revised and now encroaches only 52 feet, but does not require seasonal removal of everything beyond 25 ft pier. It has gone to public notice and a draft permit has been completed. In the permit it is clear that "retain & maintain" existing seawall includes constructing an 18 in thick re-enforced concrete supporting wall on the waterward side of the existing wall, annexing to the applicant another 100 sq ft or so of public trust land. This is a problem.

Harbormaster Mike Griffin spoke to the Harbor Management Commission position on bulkhead creep over public trust land. Chair will file further comment and make it clear a public hearing petition is an option we will exercise if acceptable further revision is not made.

DAMOS symposium is scheduled in RI on Sept 29th. Agenda seems to deal with open water disposal of dredge spoils in Mass and RI area, but should be informative and commission will pay expenses for any commissioner that attends. There were no volunteers.

CT HARBOR MANAGEMENT ASSOCIATION dinner meeting will be held on Sept.24th at Woodlands in Branford. Commission tries to send representation and pays the nominal expense. There will be five attending for the commission.

DEP has scheduled a status conference in Hartford on Oct. 1st on 23 Platt St. Chair will attend, should get back in time for next meeting that night.

COMMITTEES

HEALTH DEPT

Mr. Closter reports:

4.01 inches of rain in August vs. 2.58 last year and average since 1987 of 4.41 inches.

There were 1344 calls in August.

There was a closure in the CAA area for over 1/2 inch of rain on August 2nd and another on August 21st, and a closure of entire harbor on August 22nd, all due to rainfall with no re-opening yet.

There was one by-pass report.

8/4/2009 40 gallons 1 Gregory Blvd 50 minutes pump failure
Spilled to storm drain

WASTEWATER

No report.

WATER QUALITY

Mike Griffin reports: Meeting discussed lack of news on 23 Platt St (oysterbend) and follow-up on CL&P spill in September, which has now been turned over to enforcement at DEP, having been dormant for many months. Chair attended.

PERMITS

Mr. Casagrande reports:

Signs have not been posted. Chair contacted Kristin Frank at Aquaculture and they were posting demarcation signs and we were posting status signs. Sgt LaPak will contact Kristin. Status signs were made by Mr. D'Andrea's company, Select Plastic, and will be in use soon. Status flags are in place and being handled by Marine Police. Transplant was not done. Comm. Johnson will follow up with Norm Bloom.

POLICE

Sgt LaPak reports no arrests, three warnings for failure to display permits. Flag halyard at Calf Pasture has been replaced by 3rd Taxing District lineman, arranged by Comm. Johnson.

ADVISORY

Capt. Hopp reports water temperature is 71 degrees, several feet below surface.

HARBOR MANAGEMENT

Harbormaster Griffin reports new charts for recreational clammers have been printed in small quantities, 200. He was able to get 100 printed in house at City Hall, but had to go to Kinko for 2nd 100 and pay \$68. Invoice was turned over Comm. Johnson for reimbursement. Comm. Casagrande will contact printer who does permits and tide charts, Silvermine Press. It was noted that text on back of charts refers only to status flags and should be amended to include status signs

Motion by Dr. Serena, 2nd by Mr. Johnson to accept committee reports.

OLD BUSINESS

CL & P remediation plan...work in progress, see page one

WPCA March spill....Protocol on notification has been changed. Chair will be notified

Gardella Barge aground....Has been turned over to Kevin Zawoy for enforcement

Transplant, this month....Norm Bloom did not get to transplant, but will within next

week or so from open area so closure will not be required. Comm. Johnson will confirm.

Chair has had discussions with assistant Corporation Counsel Brian McCaan and he advises that the Commission must decide what action it wants to take and forward that decision, with explanation, to him and he will present it to the Mayor, who will make the decision about joining the suit. There was discussion of potential expenses and benefits and the reason why there is an obligation to pursue damages and remediation. Biggest expense will be further hydrographic survey which Chair has learned could cost \$3000, if done in conjunction with survey vessel being in harbor for NU and about \$4500 if done on separate trip to Norwalk. First survey did not show full extent of our acreage damaged. There will be other, minor expense for filing fees and process, shared, between us, Pramer, and Norm Bloom and our share should not exceed \$1000. Prior similar cases have yielded damages on the order of \$150,000 per acre, but there is no assurance this case will yield similar amounts.

Motion by Dr. Serena to join suit, 2nd by Comm. Johnson.

Chair will submit report to Corp Counsel's office.

NEW BUSINESS

None.

NEXT MEETING

THURSDAY Oct. 1st, 2009

ADJOURNMENT

10:31 PM

Minutes by Comm. Frank

DRAFT