

SHELLFISH COMMISSION MEETING MINUTES

City of Norwalk
Shellfish Commission Meeting
July 10th, 2008

CALL TO ORDER 7:08 PM

ATTENDANCE

Commission: Jack Casagrande, Pete Johnson, Dr. Frank Serena, John Frank

Staff: Tom Closter

Police: Sgt Peter LaPak

Advisory: none (Harbormaster Mike Griffin called and cannot attend tonight)

Guest: none

MINUTES OF LAST MEETING

Approved with no corrections by Dr. Serena, 2nd by Comm. Casagrande

TREASURER

Comm. Johnson reports:

NAME DATE AMOUNT REASON

BALANCE 5-31-08 \$7,966.26

DEPOSIT interest May \$20.00

EXPENSE

BALANCE Now 6-30-08 \$7,986.26

BALANCE Year ago 6-30-07 \$22,15.51

BALANCE Two years ago 6-30-06 \$19,363.00

SECRETARY

Application for repairs to seawall at 55 Rowayton Ave for Ridgeway-Barker has resulted in exchange of emails with Mr. Bajek, agent for applicant. Chair has questioned why new concrete seawall needs to be outside applicant's property, on public trust property of five mile river bottom. Agent claims that digging to bedrock inside existing seawall would endanger footings of home on property if earth supporting footings became undermined. While that may be true, it can be dealt with, with sheet piling cofferdam erected between house and seawall at few places where this could be a problem. This could make the project considerably more expensive than building the new wall on public trust property and annexing that to applicant's. Discussions will continue. 23 Platt St Oyster Bend Condominiums/Marina remediation plan, requiring certain variances from DEP cleanup rules, was presented at an on-site tour and later public meeting Monday, June 30th. Mr. Johnson and I attended. Presentation was made by a Mr. William Heiple, for Triton Environmental Inc. from Guilford, CT. Printed copy of revised remediation plan had

been studied by the chair and is notable for the lack of any controls to stop leaching of contaminants from the site into the adjacent river. Heiple claims rip-rap in place is all that is needed and claims to have the support of the DEP and the EPA in that opinion. Both agencies were represented at the meeting and made it clear to me, in private conversation, that although Heiple's plan looked pretty good, it was far from being approved. Heiple is an LEP with broad authority to design and approve his own remediation plans. Two dredging permits have been issued for the marina, the first one, about 20 yrs ago, permitted dredging, but required upland

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disposal. 22,000 Yds of material was reported dredged, and stockpiled on the property. Some of that material was later sent to Fairfield to cap a landfill there. Some of it was used to substantially enlarge the upland property illegally. The 2nd permit was about 2003 and also required upland disposal, because of contaminants in the core samples and was never done. There is a 60 inch (5 ft) sewer main running through the property, which will become inaccessible if the proposed plan is permitted as it requires a permanent restriction on future excavation on the site. This has been brought to the attention of Harold Alvord, DPW director, and he has asked the Corp Counsel to research the City's easement through the property. Nothing is permitted yet, and there is a petition for an adjudicated public hearing which DEP seems to be trying to avoid. Tom Brigante jr, son of the late Sgt Tom Brigante of the NPD marine division also attended. He is an environmental/remediation consultant with close ties to the Bloom shellfish companies. He has offered his services as technical advisor to keep the process honest. He was not impressed with the proposed remediation nor the studies done by their consultants. There are PCBs in the river at the site and in the underground sampling at the site. PCBs are persistent and accumulate in the food chain. Their consultant suggest the PCBs may not have come from their site as they claim counts seem higher further away from land. EPA has forced GE, through the federal courts, to clean up large parts of the Housatonic river and the Hudson river of PCBs routinely dumped by GE for years. For obvious reasons, the present owner of the property is interested in avoiding exposure to that process and his consultant is working for him, not the public. Chair is convinced they need to control leaching from the site into the river. Dick Harris tells us his trawls have shown no life in that part of the river. Dr John Pinto (Harbor Mgmt Comm.-very highly qualified scientist) has suggested more testing is needed and has pointed out that even when levels of certain contaminants do not exceed DEP standards, the presence of several, combined at one location, could result in a synergistic effect much worse than the sum of each of the individual ingredients. His concern is the lack of evidence of any live benthic community in the area. He says that certain heavy metals in the sediment can have a major effect on reproduction of shellfish and other bottom-dwelling organisms, although individual adults might appear to thrive, their ability to reproduce may be compromised. We will continue to pursue this and report back to you.

NU has finished working (construction) in the harbor. Chair has asked when we will see plans for restoration of damaged harbor bottom, as agreed. City is holding a bond until restoration is completed.

Seaport Association has approached us about buying the old motor from the SF boat. We are advised by Mark Suda at Norwest, that he believes it will sell for \$2000 or so,

eventually. The Seaport association needs a motor for their island work boat and has made an offer of \$1000. All that would go into our account. Norwest has waived any commission, and expects to sell controls, etc, for the new owners. The Seaport association is a worthwhile cause and I think we should accept the offer. However, we had talked with Mike Griffin about replacing the 175hp motor in his boat and promised him first refusal if we ever lowered the original asking price. As he is not here tonight, I think it only fair to talk to him before making any commitment to the Seaport. Either way, I would like a vote authorizing a sale to one or the other for \$1000. Motion by Dr Serena, 2nd by Comm. Johnson , unanimous to authorize sale of old motor from shellfish boat for \$1000 to either the Seaport Association or to the Harbormaster, Mike Griffin.

COMMITTEES

HEALTH DEPT

Mr. Closter reports: 3.37 inches of rain in June vs.3.80 last year and average since 1987 of 4.70 inches. Total rain for 2008 is 22.84 inches vs. yearly average since 1987 of
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52.45. There were 912 calls in May vs. 1204 in June, 2007.

There was a partial closure in the CAA area from 6/01/08 through 6/30/08. Based on test results by aquaculture. . There were no spills reported in June.

WASTEWATER TREATMENT

Comm. Johnson reports ODOR has returned, mostly on weekends, seems pretty well controlled during the week. Chair speculates that plant having a single operator from 3PM Friday to 6AM Monday may be a factor in odor management, or lack thereof. Will check with Mr. Alvord.

WATER QUALITY

Tony D'Andrea reports briefly on Interns, cleanup at 23 Platt St (Oyster Bend), and recent hypoxia in upper harbor being investigated, probably caused by large schools of bunker being chased upstream by larger fish. Also, water quality is monitoring foul discharge from pipe at Wall St bridge.

PERMITS

Mr. Casagrande reports he turned two checks from Fishermen's world in to Treasurer at this meeting. 1. \$626.08 for 118 residents, 99 non residents, and 75 Seniors 2: \$1498 for 48 residents, 48 non residents, and 24 juniors. Asks if we inquired about Westport permits . Chair was going to and didn't. Asks about transplant. Clammers at the beach are reporting many very large clams.

POLICE

Sgt LaPak reports for June 18hrs patrol, no arrests. One warning. Worn brass flag hooks have been replaced with Stainless steel, Lines will need to be replaced.

ADVISORY

Tony D'Andrea reports water temp at Hope Dock is up to 79.5 o F.

HARBOR MANAGEMENT

Harbormaster Mike Griffin has distributed folder with info and pictures of large-heavy-lift crane expected in the harbor to deliver transformers for NU. Chair passed pictures around with explanatory information.

OLD BUSINESS

Transplant to beach ? Comm. Johnson will check with Norm Bloom and advise

NEW BUSINESS

None.

NEXT MEETING

Thursday August 7th

MOTION TO ADJOURN

At 8: 35PM by Dr. Serena, 2nd by Mr. Johnson

Minutes by Comm. Frank

