

**CITY OF NORWALK  
NORWALK HARBOR MANAGEMENT COMMISSION  
REGULAR MEETING  
FEBRUARY 23, 2011**

**ATTENDANCE:** Tony D'Andrea, Chair; Jan Schaefer, Jack Callahan, Norwalk Harbor Master Michael Griffin, Ex-officio member; Dr. John Pinto (8:10 p.m.)

**OTHERS:** Geoff Steadman, consultant; Peter Johnson, Shellfish Commission Chairman

**CALL TO ORDER**

Mr. D'Andrea called the meeting to order at 7:40 p.m. A quorum was not present.

**CHAIRMAN'S REPORT**

Chairman D'Andrea then read the following information from Roberts Rules of Order:

**"Question 2: Can ex-officio members vote, and are they counted in determining whether a quorum is present?"**

Answer: 'Ex officio' is a Latin term meaning 'by virtue of office or position'. Ex-officio members of boards and committees, therefore, are persons who are members by virtue of some other office or position they hold. For example, if the bylaws of an organization provide for a Committee on Finance consisting of the treasurer and three other members appointed by the president, the treasurer is said to be an ex-officio member of the finance committee, since he or she is automatically a member of that committee by virtue of the fact that he or she the office of treasurer.

Without exception, ex-officio member of boards and committees have exactly the same rights and privileges as do all members, including, of course, the right to vote. There are, however, two instances in which ex-officio members are not counted in determining the number required for a quorum or in determining whether or not a quorum is present. These two instances are:

1. In the case of the president, whenever the bylaws provide that the president shall be an ex-officio member of all committees (except the nominating committee); and

2. If the ex-officio member is not a member, officer, or employee of the society (for example, when the governor of a state is made ex officio a member of a private college board).

Chairman D'Andrea stated that Harbor Master Griffin was an ex-officio member of the Commission and in attendance. He explained that only four Commissioners were able to attend the meeting and that Harbor Master Griffin, as an ex-officio member was present to help constitute the quorum needed for voting on action items.

Chairman D'Andrea thanked Ms. Schaefer for her willingness to continue to serve on the Commission, along with all the other Commissioners.

Chairman D'Andrea announced that Harbor Master Griffin had been appointed to the Connecticut Maritime Commission. He then read the following document into the record:

January 25, 2011

Michael Griffin  
125 East Avenue  
Norwalk, Connecticut 06851

Dear Mr. Griffin,

Pursuant to Public Act 04-143, it is my pleasure to appoint you to the CONNECTICUT MARITIME COMMISSION. You shall fulfill the term of George "Doc" Gunther, who has resigned. Your term is effective immediately, and is conterminous with mine as the appointing authority.

We hope that your service in this position will be challenging and satisfying. We know that the talents and expertise you bring to it will be of great value and service to our state and its citizens.

Your desire to volunteer your time and expertise is commendable and very much appreciated. Thank you for your interest.

Sincerely

[signed]

John McKinney  
Senate Minority Leader

**APPLICATION REVIEW COMMITTEE**

### **COP Rex Marine, Bulkhead and facility repairs.**

Chairman D'Andrea said that this application had been reviewed by the application review had revealed that the application was incomplete. The Marine has been contacted and the requested information will be sent to the Application Review Committee. This application will be referred to the Shellfish Commission for their comments.

**200401046-SJ - Village Creek Harbor Corporation** - Mr. Johnson asked how many additional moorings were being added. Harbor Master Griffin gave the figure. A discussion followed regarding whether the Corporation was installing a mooring or a dock. This application will be referred to the Shellfish Commission for their comments.

**Carmello Tomas, 6 Woodland Road** (Pre application) This parcel is the former Scott Merrill property. The seawall has been repaired and the applicant wants to put in a dock. It was noted that this is located by natural beds. This application will be referred to the Shellfish Commission for their comments.

Chairman D'Andrea then stated that he had received a letter on February 15, 2011 from George Wisker regarding the Norwalk Harbor Federal Management Dredging Project Phase III; a letter dated January 27th, 2011 from Susan Jacobson regarding COP # 201006070SJ; and a letter dated February 17, 2011 from James Bajek regarding Hilliard Bloom Shellfish, Inc.

## **PLANNING AND ZONING**

No report.

## **COMMITTEE**

**Finance** - Chairman D'Andrea stated that the finances have been received from City and noted there was a reduction in the amount allocated. Chairman D'Andrea thanked Mr. Hamilton for the support in the budget process.

**Boating and Harbor Safety** - Harbor Master Griffin reported that Devine Brothers had expressed concerns about the ice piling up on the upper reaches of the river. The Coast Guard was contacted and they worked with Harbor Master Griffin to clear the upper portions of the River.

Harbor Master Griffin then reported that there had been a sailboat sunk off of a dock but it was not a danger to navigation. Ms. Schaefer was helpful in working on this issue. Harbor Master Griffin then passed around a photograph of the submerged vessel for the Commissioners to see.

**Water Quality/Watershed Initiative** - No report.

**Waterfront Advisory** - Listed in report.

**Plans and Recommendations** - No report.

### **STAFF REPORTS**

**Harbor Master/Harbor Manager** - The City Marina will open up on May 1st and run through October. New regulations have been established. Staff will be at the boating center starting April 15th on weekends. The full season schedule will kick in after Memorial Day.

The City should be receiving a check for the pump out station in the near future.

*Dr. Pinto arrived at 8:10 p.m. A quorum was now present.*

Harbor Master Griffin reported that he had received a report about an "abandoned" boat with a 1985 sticker but the registration is current. The vessel has been located and does not have a current sticker on it. This has been reported to the police and will be monitored.

Harbor Master Griffin then gave the Commission an update on the three power lines that were laid across Long Island. One of the lines failed upon initiation and needs to be replaced. The cable laying ship will be arriving in the next few months and will be replacing the line. Harbor Master reviewed the details of that replacement. Harbor Master Griffin stated that CL&P had not replaced the shellfish bed either time that they had disturbed them.

**\*\* COMMISSIONER CALLAHAN MOVED TO ACCEPT THE FEBRUARY HARBOR MASTER/ HARBOR MASTER'S REPORT AS PRESENTED.**

**\*\* DR. PINTO SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**\*\* COMMISSIONER CALLAHAN MOVED TO APPROVE THE JANUARY HARBOR MASTER/ HARBOR MASTER'S REPORT AS PRESENTED.**

**\*\* DR. PINTO SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

### **STAFF REPORTS CONT'D**

**Newsletter/Web Site** - No report

**Dredging** - Dr. Pinto then reviewed the details of the February 15, 2011 letter sent to Mr. George Wisker from the ACOE regarding the Norwalk Harbor Federal Management Dredging Project Phase III. Discussion then followed. Mr. Steadman will work with Chairman D'Andrea on drafting a letter to Mr. Wisker regarding requirements involved in the project.

### **NEW/OLD BUSINESS**

Chairman D'Andrea said that a few months ago there had been a discussion and a vote regarding mapping all the shellfish beds in Norwalk. It has been determined that this needs to be done by a licensed surveyor. Redniss and Mead have been requested to submit a proposal. Discussion followed about how the finances for this project would be handled.

Chairman D'Andrea pointed out that in order for the Harbor Management Commission to execute their charge, it will be important to know exactly where the beds are located. He explained that if a vessel went down over the beds, people would need to be notified. Chairman D'Andrea said that it would be important to start at the Darien Town Line at Five Mile River and work eastward. The area will be broken into four pieces, and the mapping will focus on the natural beds. Discussion followed.

It was pointed out that all the deeds of ownership should be on file in the Town Clerk's Office. The City Attorney feels that this is a worthwhile project. It will be important to have this in order to work on cumulative errors.

Chairman D'Andrea said that he would like to request the Commission to support moving this project forward. Mr. Steadman should remain involved and assist with writing the text for this project. He suggested that Mr. Redniss be invited to attend a meeting of Plans and Recommendations to discuss the scope of this project.

**\*\* DR. MOVED TO INVITE MR. REDNISS TO ADDRESS THE PLANS AND RECOMMENDATIONS COMMITTEE AND SUBMIT A PROPOSAL FOR MAPPING THE UNDERWATER SHELLFISH BEDS**

**\*\* MS. SCHAEFER SECONDED.**

**\*\*THE MOTION PASSED UNANIMOUSLY.**

### **STAFF REPORTS CONT'D**

**Consultant** - No report.

### **APPROVAL OF DECEMBER 2010 AND JANUARY 2011 MINUTES**

#### **December 2010 Minutes:**

The following correction was noted:

Page 1, under **Application Review – Christopher Bell**, paragraph 1, line 2: please change the spelling of “Roberg Associates” to “Roberge Associates”.

#### **January 2011 Minutes:**

Page 1, under **Attendance** and forward: Please change “Jan Schafer” to “Jan Schaefer”

**\*\* DR PINTO MOVED TO ACCEPT MINUTES OF DECEMBER 2010 AND JANUARY 2011 AS CORRECTED.**

**\*\* COMMISSIONER SCHAEFER SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**ADJOURNMENT**

**\*\* COMMISSIONER SCHAEFER MOVED TO ADJOURN.**

**\*\* DR. PINTO SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:14 P.M.

Respectfully submitted,

Sharon L. Soltes  
Telesco Secretarial Services