

**Five Mile River Commission
September 11, 2014 Meeting Minutes
The Boardroom, Rowayton Community Center
33 Highland Ave., Rowayton, CT 06853**

Commission members in attendance:

Matthew Marion, Chairman
John deRegt, Commissioner
Dirk Leasure, Commissioner
William Jessup, Commissioner
Ray Meurer, Harbor Superintendent
David Snyder, Assistant Harbor Superintendent

Guests:

Steve Bartush, Norwalk Resident

Matthew Marion took the chair at 7:36 p.m. with a quorum of Commissioners present and noted that the minutes of the July 24, 2014 meeting had been unanimously approved by the Commissioners electronically. Commissioner Leasure joined the meeting in progress.

Chairman Marion asked for comments regarding the draft "Application for Temporary Moorage Permit" that was circulated to the Commissioners prior to the meeting. The goal of the proposed arrangement is to establish a controlled mooring area (CMA) in the Five Mile River, outside the federal channel and away from the mudflats, for the temporary moorage of docks, floats, and ramps prior their movement to marinas for winter storage. Marine service providers can use the CMA only after submitting a signed application and receiving a written permit for the requested moorage from the Harbor Superintendent. All docks so stored must be clearly identified along with contact information regarding the owner of the docks and the marine service provider.

The Commissioners unanimously approved the permit application and its terms and conditions. The Chairman directed the Harbor Superintendent to make the application available to the marine service providers, and to answer any questions they may have, as soon as practicable, and to oversee the timely processing of the applications. A copy of the application is attached to these minutes.

Chairman Marion noted that the CMA is the only place docks, floats, and ramps may be stored in the River. The use of service moorings or private mooring for such moorage is prohibited.

Chairman Marion asked for an update concerning a report that on August 6, 2014, the ground tackle on one moored boat apparently failed and caused an adjacent boat to break away from their common mooring. Upon investigation of the incident, the Harbor Superintendent reported that the failed ground tackle was last inspected in 2012 and was due for inspection this year in accordance with the governing ordinances.

The Commission and Harbor Superintendent discussed the boat owner's ultimate responsibility under the Norwalk and Darien Ordinances for providing adequate mooring equipment, and for ensuring its proper maintenance and placement. To help prevent future failure of ground tackle, the Harbor Superintendent agreed that each spring, mooring permit holders will be reminded via email about their responsibility to have their ground tackle inspected, and maintained if needed, every two years. In addition, the Harbor Superintendent agreed to share with marine service providers his master list of service providers identified by mooring holders as being responsible for maintaining such equipment.

Finally, in the early fall the Harbor Superintendent will ask marine service providers to verify when they last inspected the ground tackle of mooring permit holders. When such verification is not available, the Harbor Superintendent will contact the mooring permit holder directly to confirm when the tackle was inspected. Lack of verification of inspection will result in nonrenewal of the mooring permit.

The use of grills for cooking on boats at moorings and at docks was discussed. It was agreed that such use, while rare, should at minimum be discouraged and perhaps banned altogether. Anecdotal reports about such practices showed that all of the harbors and marinas surveyed ban the use of grills on boats while at anchorage or at docks. It was reported that a boatyard in the river recently informed its dock and mooring customers that use of grills is prohibited. The Commission will continue this discussion and solicit input from the marinas.

The Harbor Superintendent reported current financial results with YTD income of \$48,550 and expenses of \$6,764, according to Administrative Assistant, Tammy Papp.

Regarding the collection of the harbor use fees from nonpaying boat owners, the Harbor Superintendent used the registration numbers of boats not displaying decals provided by the Assistant Harbor Superintendent to search the database of boat owners to find the names of nonpayers. Of the 122 boats at docks which do not display use decals, 42 had paid the use fee. Of the remaining 80 boats without decals, the Harbor Superintendent had contact details for 22 boats and emailed application to the boat owners with the request that they pay the use fee promptly. As regards the remaining 58 boats, the Harbor Superintendent has no records identifying these remaining boats or their owners and has solicited the help of the marinas in identifying them.

The Harbor Superintendent will provide the Commission with a final report on the number of paying and non-paying boat owners for 2014 before the next meeting, at which time the Commission will decide on enforcement steps against non-payers.

In addition, the Assistant Harbor Superintendent suggested that next year he ask the various marina operators to accompany him when he inspects for decals so the names of boat owners

without a decal can be identified early in the season. The Commission and Harbor Superintendent support this suggestion.

Boat owners are first made aware of the need to pay the harbor use fee when the marinas send out their summer contracts. A letter from the Harbor Superintendent and an application are included in the mailing by the marinas. A final report on the number of paying and non-paying boat owners for 2014 will be available before the next meeting of the commission.

The drone photos taken by Chris Walker and circulated to the commissioners were very helpful. Dirk Leasure requested that a set of photos be taken at low tide. Mr. Walker volunteered to retake the photos this time from "straight down" and include both sides of the river.

The red private aid to navigation maintained by the Commission at the mouth of the River has gone missing and will be replaced next year. Also, in 2015 a warning buoy will be placed at the mouth of the River to help prevent boat operators from entering the River between the easterly mooring string and the eastern (Norwalk) shore.

The meeting was adjourned at 8:58 p.m.

The remaining meeting dates for 2014 are October 23rd and December 4th.

Respectfully submitted,

Ray Meurer
Harbor Superintendent