

**Five Mile River Commission
Minutes
October 1, 2009**

Commission members in attendance:

William Jessup
Dirk Leasure
Ray Meurer, harbor superintendent
David Snyder, assistant harbor superintendent

Members of the public in attendance:

Robert Griffith, 17 Crooked Trail, Rowayton, CT 06853
David Wenger, 3 Wild Rose Lane, Darien, CT 06820

Dirk Leasure took the chair at 7:47 p.m. as acting chairman. Matthew Marion, chairman, was absent due to illness.

David Wenger, commodore of the Rowayton Yacht Club, requested that a transient mooring be made available in Five Mile River close to their clubhouse facilities at 149 Rowayton Ave. The Club has a verbal agreement with the owner of the docks at 151 Rowayton Ave. that would enable boaters to use the docks to tie up a dingy when they go ashore.

A general discussion ensued that was supportive of the request. A mooring space is available close to the Club. Mr. Wenger said the Club would pay for the installation of the necessary ground tackle and would assume responsibility for its ongoing maintenance. It was agreed that use of the mooring would be open to the general public free of charge. The mooring buoy would be marked with the words "24 hours Transient."

Mr. Leasure directed the harbor superintendent to draft a letter of agreement to be signed by Mr. Wenger. The letter and the establishment of the transient mooring will be voted on at the next meeting of the commission.

Robert Griffith requested that a new mooring location be established near the mouth of the river between mooring location A3 and A5 for his 56 foot sailboat. Mr. Griffith acknowledged that there are seven boaters ahead of him on the wait list who would have to be offered the new location before it could be assigned to him. William Jessup recommended that the commissioners go out on the river to look at the proposed location to make sure it would not block access of boats already berthed at docks or at moorings in the immediate area before proceeding to offer the proposed new location to boat owners ahead of Mr. Griffith on the wait list.

Tammy Papp, administrative assistant, in a written report, showed YTD income of \$42,350 and YTD expenses of \$17,616 which included \$10,200 in back pay to Mrs. Papp and Mr. Meurer that was held up pending their agreeing to sign up as employees of the City of Norwalk to satisfy the reporting requirements of the Internal Revenue Service. Subtracting out the back pay, actual YTD 2009 expenses were \$7,416.

David Snyder in August inspected all 300 of the boats berthed at docks and found that 101 boats were not displaying the FMR09 decal, which indicated the boat owner had not paid the harbor use fee, or had paid the fee, but had not applied the decals.

A general discussion ensued which supported stricter enforcement of the ordinances by the harbor superintendent, the assistant harbor superintendent and the administrative assistant.

Suggestions included urging marinas and boatyards to be more supportive in providing names of boat owners and making greater use of the Department of Motor Vehicles to identify the name and address of boat owners not displaying decals. There was little support for a suggestion that boatyards and marinas be asked to collect the harbor use fee. Another suggestion was to put a harbor use fee application in a ziplock bag and attach it using a tie wrap to the steering wheel of boats not displaying a FMR decal. Mr. Snyder was suggested that a printed announcement be posted at all boatyards and marinas prior to inspecting boats for decals so that boaters can be given advance notice of the upcoming inspection, thus creating greater awareness of the need to display the harbor use fee.

The current procedure for boats berthed at docks is as follows:

- Boatyards and marinas are provided with harbor use fee application forms which they mail to customers along with the boatyards dock contract for the season.
- In May, boatyards and marinas are asked to provide the harbor superintendent with the name and address of boat owners who have rented slips for the season. The names are compared to a list of boat owners who have paid the harbor use fee. Boat owners who have not paid are sent a second notice.
- The first week in July, the docks are inspected and the registration number of boats without a FMR decal are recorded. The registration numbers are matched against the master list of boat owners who have paid a fee. Boat owners who have paid the fee are contacted via email or phone and reminded to display the decal. The remaining registration numbers can be

submitted to the Department of Motor Vehicles to secure the name and address of the boat owner so a second notice can be mailed to the owner.

- This would have to be followed up with a second inspection of the docks for boats not displaying a decal. A “Notice of Violation of Ordinances” which includes a \$100 a day fine could be issued to boat owners not paying the fee.

David Snyder and Ray Meurer surveyed all the boats on moorings and found that 88 boats did not have a mooring number on the southerly most moorings buoy and 29 boats were not displaying the FMR09 decal. Finding a way to successfully apply mooring numbers has proven to be a difficult task. Self adhesive numbers do not last the entire season. Painting the numbers on the buoys lasts a little longer. Alternative means of marking the mooring buoys will be investigated. Also, an alternative numbering system will be examined.

“Slow No Wake” signs were made available and installed on pilings at The Boatworks and Five Mile River Works. The Bait Shop and All Seasons Marine have agreed to install the signs as well.

The meeting was adjourned at 9:26 p.m.

The next meeting of the Commission is November 19, 2009, 7:30 p.m., in the Boardroom of the Rowayton Community Center, 33 Highland Ave., Rowayton,, CT.

Respectfully submitted
Ray Meurer
Harbor Superintendent