

TOWN OF FAIRFIELD
HARBOR MANAGEMENT COMMISSION
MEETING MINUTES OF MAY 21, 2024

A Meeting of the Harbor Management Commission (HMC) of the Town of Fairfield was held on Tuesday, May 21, 2024 at 4:30 p.m. in the First Floor Conference Room, of the John J. Sullivan Independence Hall, 725 Old Post Road, Fairfield, CT, and via teleconference.

MEMBERS PRESENT: Don Hyman (Chairman); Jeff Warren; Doug Metchick; Bill Perugini; Dave Henry; Christopher Smith; Michael Baisley, and Belinda J. Shepard. **ABSENT:** George Harris. **ALSO PRESENT:** Geoff Steadman, HMC Consultant; Bryan LeClerc, Harbor Master; John Dean, Deputy Harbor Master; Jeffrey Engborg, Manager, Pequot Yacht Club (PYC); former HMC Chairwoman Kim Taylor; former HMC member James Bradley; Engineering Manager William Hurley; Town Attorney Philip Pires; David Rosow, PYC Commodore, Devin Santa, RACE Coastal Engineers (RACE); and Matt Rackowski, RACE.

CALL TO ORDER: The meeting was called to order at 4:30 p.m. by Chairman Don Hyman.

SALUTE TO THE FLAG

APPROVAL OF MINUTES: Meeting minutes of April 16, 2024: Jeff Warren *moved* and Doug Metchick *seconded* to approve the draft meeting minutes of April 16, 2024. *Motion passed unanimously.*

CHAIRMAN'S REPORT: Chairman Hyman reported the following communications:

1. April 29-May 2 text conversation with Jessica McManus of Harbor Road seeking to replace, donate and memorialize with a plaque one of the three benches permitted by deed on Lower Wharf.
2. May 6 email conversation with Parks and Recreation Director Anthony Calabrese agreeing to approve placement of a public safety risk and rules sign for Lower Wharf at Ye Yacht Yard for pedestrians to see while walking to the Lower Wharf entrance. This is part of a new "Two Sign risk management communication plan" for Lower Wharf and the adjacent waterside lot approved by Town Attorney Philip Pires and Town Risk Manager Peter Richey. It was reviewed at the May 8 meeting of the Lower Wharf Committee and noted in posted minutes of that meeting.
3. Discussion by phone May 9 with Laura Lawlor, president of Sasquanaug Association and Pam Toner, chair of Southport Conservancy. Both are supporting new two sign risk management public safety strategy for Lower Wharf.
4. May 8 recognition and celebration event for Geoffrey Steadman, HMC consultant for 30+ years.
5. Conversations May 13-14 with state Sen. Tony Hwang regarding application to the state Bond Commission for funds (in addition to potential SHIPP grant funds from Connecticut Port Authority) to support repair and replacement of the Lower Wharf bulkhead and pier. An updated cost estimate was provided by Devin Santa of RACE and the application is in progress.

6. Commencement May 15 morning, per advisory from Harbor Master LeClerc, of Army Corps of Engineers preliminary Southport Harbor survey work needed for dredging planned at the mouth of Southport Harbor tentatively set for later this year.
7. HMC 2024-2025 proposed budget approval by Representative Town Meeting on May 6, according to RTM Moderator Marcy Spolyar.
8. Response of April 17 to Michael Nishball's email question on reasons for repairing and replacing the Lower Wharf bulkhead and pier.

HARBOR MASTER REPORT: Harbor Master Bryan LeClerc reported that all harbor operations are going well; vessels are moving into mooring locations. The ACOE survey vessel has arrived; it is anticipated to be in the harbor for a few weeks conducting surveys of the area to be dredged and the offshore site for placement of dredged material. The Perry's Green bulkhead reconstruction project is underway with an anticipated completion date of October 2024; mooring relocations were coordinated to facilitate the project. The Memorial Day Sea Ceremony will be held next weekend, with the Blessing of the Fleet and Southport Parade to be conducted on June 8, 2024. Informational safety communications are being sent to mooring holders; a Safety Drill will be conducted with the PYC in June.

NEW APPLICATIONS: No new applications.

The items listed on tonight's meeting Agenda were taken out of order

OLD BUSINESS:

1. **Lower Wharf Two-Sign Risk Management Discussion and Resolution:** Mr. Hyman noted that following considerable discussion with area residents, including Mr. and Mrs. Soper, consideration was given to a two-sign proposal, one sign to be placed on the more recently acquired parcel (Water Lot), and the other to be placed at Ye Yacht Yard to be viewed by persons walking to the Lower Wharf. Mr. Hyman provided a description of the two proposed signs. Mr. Steadman suggested that in consideration of the historic nature of these properties that perhaps a simpler sign approximately 12" x 18" in size on a small wooden post would be more appropriate for the Water Lot. Following considerable discussion, Doug Metchick *moved* and Christopher Smith *seconded* to adopt the two-sign resolution, with a smaller proposed sign being placed at the more recently acquired parcel (Water Lot), and a larger proposed sign to be placed at Ye Yacht Yard. *Motion passed unanimously.*

The items listed on tonight's meeting Agenda were taken out of order

NEW BUSINESS:

1. Review of PYC's Draft Plan for Seawall and Dock Improvements: David Rosow, PYC Commodore, and Devn Santa of RACE: PYC Commodore Rosow provided the HMC with a description of the existing conditions and proposed improvements, noting the seawall is over 100 years old and is a critical asset to the PYC. The proposal provides for the protection of the building structures at this location, as its current condition consists of a wall of stacked stones 12'-14' tall. The docks will also be rebuilt in positions slightly closer to the channel. Mr. Santa thanked the HMC for the opportunity to provide information on its proposal and requested HMC discussion prior to submittal of an application to DEEP.

Mr. Steadman noted that according to Robert's Rules and past HMC practice, members of the PYC who are also HMC members should recuse themselves from voting and discussing matters concerning the PYC. He also recalled that previously the Town Attorney at the time advised that recusal on an item being reviewed by the HMC does not affect the quorum for acting on the item and that a vote can carry even if, due to recusals, less than the quorum number is voting. The Town Attorney will be asked to provide guidance on this subject. Following considerable discussion on the design of the proposed project, it was the consensus of the HMC that Mr. Steadman will obtain the current DEEP permit for the existing docks for review at the June meeting prior to any preapplication comments by the HMC on this proposal.

2. Harbor Master LeClerc Update on Police Request for Security Cameras to be placed at Southport Harbor: Harbor Master LeClerc noted that placement of the cameras would allow for the public to log in to view conditions and activities at the harbor. The cost is approximately 16k which includes two cameras; cost for cables is approximately 1k. It was noted that when the HMC had previously reviewed this matter there were cost and maintenance concerns. Commissioner Doug Metchick stated he has cost concerns and he believes this type of monitoring is outside of the HMC's purview and appears to be more of a police and fire departments' function. Commissioner Warren agreed, noting that he does not feel there are security issues at this location that would warrant such monitoring and expense. Commissioners Michael Baisley and Belinda Shepard also agreed.
3. Request For Written Policy and Guidance on Bench Replacement and Memorial Plaques at Lower Wharf: Mr. Hyman: Commissioner Hyman inquired whether the HMC wished to set policy regarding benches; the HMC discussed deed restrictions, and noted there is an existing bench dedicated to Bob Lee recognizing his civic activities, and plaques on rocks recognizing Mr. Trefz, Mr. Galpin, and Mr. Russell for their significant contributions to Southport Harbor. Following discussion, it was the consensus of the HMC to maintain its practice prohibiting further memorial benches at the Lower Wharf, and to suggest that people wishing to pursue memorial benches at other Town locations reach out to the Recreation Department to inquire whether such other opportunities exist.

OLD BUSINESS:

2. **Lower Wharf Repairs, Mr. Steadman:** (Covered in item 3 below.)
3. **Lower Wharf SHIPP Grant Refund and Application For New Funds:** Mr. Steadman reported that he, Engineering Manager William Hurley, and Town Grants Coordinator Teri Brown, as requested by the Town's state legislative delegation, prepared applications for state-bonded funds for rebuilding of the Lower Wharf pier and repair of walls; these applications were then submitted by the Town to the legislators and then by Senator Hwang and Rep. Leeper to the Governor's Office for placement on the Bond Commission's agenda. The preparation and submittal of these applications was approved by the First Selectman's office and Finance Department. Mr. Steadman further reported that he has been in communication with the Port Authority regarding this submittal which, if successful, may mean the Town will not be applying for funds available through the Port Authority SHIPP grant program. Insofar as the HMC had not previously discussed submittal of an application for Lower Wharf improvement funds directly to the Bond Commission, following discussion Christopher Smith *moved* and Jeff Warren *seconded* to adopt a resolution supporting the application to the State Bond Commission. *Motion passed unanimously.*

4. **Sand Management, Kim Taylor, Mr. Steadman:** Kim Taylor reported that the ACOE surveyors have been working in the harbor and will return to stake out the federal channel line and dredged area on the sand shoal. The ACOE land crew will visit the harbor in July to review the area and plan the excavation work that will place sand in the hopper dredge. There have been delays with regard to obtaining the temporary construction access easements due to conflicting information regarding the title of affected properties; the Town Attorney will coordinate a title search concerning the properties as requested by the ACOE; this will take some time to complete. Mr. Bradley provided information on the method of dredging and the equipment utilized during previous dredging projects. Mr. Bradley further noted that the CCOF previously conducted a title search and obtained a title insurance policy; the company that conducted the same will likely have records that could expedite the current title search to be conducted by the Town. Mr. Bradley suggested it may be beneficial for Mr. Steadman to work with the CCOF to obtain and review its relative records.
5. **POCD Update: Mr. Steadman:** The Town Plan and Zoning Commission did not take up this matter at its last meeting. Mr. Steadman noted that there has been significant state land-use legislation recently and will keep the HMC apprised.
6. **Perry Mill Green Bulkhead Replacement Update Mr. Steadman:** Project is moving forward.
7. **Mooring Committee: Mr. Warren:** The Mooring Committee has not met since the last meeting.

PUBLIC COMMENT: None.

ADJOURNMENT: There being no further business to come before the Commission, Jeff Warren *moved* and Christopher Smith *seconded* to adjourn at 6:30 p.m. *Motion passed unanimously.*

The audio recording can be found here: [05/21/24 Harbor Management Commission \(youtube.com\)](https://www.youtube.com/watch?v=05/21/24_Harbor_Management_Commission)

Respectfully submitted,
Betty Gabriel