



# CANDLEWOOD LAKE AUTHORITY

P.O. BOX 37 • SHERMAN, CONNECTICUT 06784-0037 • (860) 354-6928 • FAX (860) 350-5611

## Minutes of Meeting July 14, 2010

### Attending:

R. Stroh	New Fairfield
J. Hodge	New Fairfield
H. Mayer	New Milford
M. Toussaint	New Milford
E. Siergiej	Danbury
H. Berger	Sherman
P. Schaer	Sherman
G. Dufel	Danbury
J. Murphy	Brookfield
W. Lohan	Brookfield

### Absent:

B. Kemble	New Fairfield
F. Cioffi	Brookfield
M. Calandrino	Danbury
R. Guendelsberger -	New Milford
C. Reppenhagen	Sherman

L. Marsicano, CLA Executive Director  
F. Frattini, CLA Administrative Coordinator  
M. Howarth, CLA Public Education Director

Recorder R. Stroh

Guests: D. Gilbert, Danielson, CT, CT Bass Federation  
M. Propper, Danbury  
Debra Siepmann – Patch.com

Howie Berger, Chairman, called the regular meeting of the Candlewood Lake Authority to order at 7:32 P.M. at Brookfield Town Hall, Brookfield, CT. He welcomed John Hodge the new delegate from New Fairfield.

Secretary's Report: Rich Stroh, Secretary, noted that Frances Frattini had something to report regarding the minutes of the June meeting. Mrs. Frattini noted that on Page 2 of the minutes it was noted that "Rep. Carson advised that in 2006 the State Legislature passed so that the legislative bodies of the towns need to agree to it" (referring to Lake/Pool Owners carrying of a firearm). Mrs. Frattini could not find the Statute and asked Rep. Carson for the number she

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referred to. It was CSG 26-5. Noting that the CLAMP officers are appointed under 7-151b and not under 26-5 she asked Rep. Carson how 26-5 would apply to the lake patrol officers on Candlewood. The response was "that her office cannot give legal opinions but CGS 26-5 applies to any Candlewood Lake patrolmen that were appointed by the DEP as special conservation officers. It's true that 7-151b is the statute under which the DEP appoints lake patrolmen. Lake patrolmen appointed under 7-151b may carry firearms provided they have the required training. However, 26-5 is the statute under which the DEP appoints lake patrolmen as special conservation officers. Lake patrolmen pursuant to this statute may not carry a firearm while in performance of special conservation officer duties unless the towns approve." Mrs. Frattini reported that she thanked Rep. Carson and advised her that as all Lake Patrolmen on Candlewood are appointed under 7-151b then 25-6 would not apply to the CLAMP officers. As the statement noted in the June minutes is what was said, it was not deleted from those minutes but it will be noted that that sentence is clarified in the July minutes.

Ed Siergiej moved to accept the minutes of the June 9, 2010 meeting as written and clarified, seconded by Jerry Murphy and voted with all in favor, minutes have been accepted.

Chairman's Report – Howie Berger reported that not all of the Towns had responded on the DEP agreement by the requested date; those that did seemed to be opposed to the clause regarding the Authority indemnifying the DEP. This will be discussed further under Public Safety. Mr. Berger noted that the Lake Patrol Officers had asked for a definition of indemnification as the Statute for Lake Authorities says "may indemnify" the CLA has chosen to indemnify so Mr. Berger asked Attorney Backer to draft a policy on indemnification of Lake Patrol Officers which was sent to all the Lake Town CEO's, local legislators, CLA delegates, DEP attorney, CLA Executive Director and Chief of CLAMP which states:

"As authorized by the provisions of Connecticut General Statute 7-151b(a) the Candlewood Lake Authority shall protect and save harmless any lake patrolman employed by the Authority from financial loss and expense, including reasonable legal fees and costs, if any, arising out of any claim, demand suit or judgment by reason of alleged negligence on the part of such lake patrolman while acting in the scope of such lake patrolman's employment to the extent of the applicable insurance coverage obtained by the Candlewood Lake Authority for Candlewood Lake Patrol officers."

Vice-Chairman's Report: Mark Toussaint noted nothing to report.

Treasurer's Report: Treasurer, Phyllis Schaer noted that there was no June monthly report as the books are being prepared for the annual audit.

Mrs. Schaer reported that FirstLight did pay their annual contribution in June and contributed as a supporter of the Clean Up and Dragon Boat Race. She noted that she had sent a letter to New Milford for the balance on the four thousand plus dollars due on their 09/10 appropriation reminding them of the ordinance pertaining to funding the CLA and pointing out that the taxes paid by the lake communities (lakefront or lake communities?) in New Milford exceed 3 million dollars. Discussion followed and a course of action was agreed on.

Mr. Berger advised that he needed to reconvene the HR Committee and asked anyone who would like to be a part of the committee to contact Mrs. Frattini at the office. The committee will meet before the August CLA meeting.

Mrs. Frattini noted that there were two delegate reimbursements - \$61.86 to Frank Cioffi for out-of-pocket expenses for the Clean Up and \$73.80 to Bill Lohan for gas for Project CLEAR. Mr. Marsicano advised that the Project CLEAR gas reimbursement is paid for

from funds received from Education Connection. Moved to reimburse the above by Ed Siergiej, seconded by Mark Toussaint and voted with all in favor.

Executive Director: Larry Marsicano noted that his report is attached to these minutes. He advised that the Project CLEAR field days and presentation were very successful and the CLA may need to consider how this program could be funded in the future if there is no longer funding from the CT Department of Education. This program costs \$125,000 annually. Other items covered in his report are: Pine Island, Watershed/Shoreline Data base, Wesconn Seminar regarding Weevils and Eurasian Watermilfoil Management, and CT Lakes Awareness Week (July 11 to 17). Discussion followed on the use of the drawdown to control the milfoil. Mr. Marsicano noted that at the last Technical Committee meeting he had asked FirstLight to revisit the protocol used in the drawdown of 1985 to 1995, which appeared to have a better effect on controlling the milfoil. He also advised that the New Fairfield Candlewood Watershed Initiative is about to initiate the storm drain marking program.

Public Education Director: Mark Howarth reported on the Dragon Boat Race Festival; a number of teams have registered with 6 lake communities included. Volunteers are needed for Friday, August 20<sup>th</sup> set up and on race day August 21<sup>st</sup>. Dragon Boat Coaches are needed – training will be 3 to 5 PM on August 10<sup>th</sup>. The practices begin August 10<sup>th</sup> in the evenings from 5:30 to 6:30 PM and weekend mornings. Media has been invited to cover the event, 98Q will be promoting the event and Stew Leonard's is their media sponsor.

Public Awareness: Mark Toussaint noted nothing to report.

Watershed Management: Harold Mayer nothing to report.

Equipment/Facilities: Ed Siergiej nothing to report.

Public Safety: Howie reported that there is a full patrol schedule for July and that all officers have returned for the season. He wanted to thank Chief Joe Yedowitz for a job well done on pulling the patrol back. An ad had been placed for new officers and 26 applications have been received and turned over to the Chief for review. He advised that the sub-committee for negotiating and reviewing the new DEP contract will include Jerry Murphy, Bob Guendelsberger, Charlie Reppenhagen, Chief Yedowitz and three Lake Patrol Officers: Jason Broad, Gil Brouillette and Mike Rodgers. Rich Stroh reminded the delegates that they are welcome to ride along with a patrol officer. The fireworks went off without a hitch. Mr. Berger called attention to the DEP agreement for this season – Mr. Hodge noted that this was supposed to be back to the DEP by July 4 – Mr. Berger advised that the towns had not given their input by that date – discussion followed. Two minor items were suggested – one going only to the CT State Police for background checks and two “may” have an assistant Chief. It was further noted that some of the Towns objected to the CLA indemnifying the DEP. Mr. Berger posed the question, “Does a POST Certified officer when acting as a Lake Patrolman have only the authority of a lake patrolman? This is the question that needs to be researched. Discussion followed on the proposed changes to the agreement. John Hodge made a motion to approve the Memorandum of Agreement dated June 10, 2010 with the suggested changes in Attorney Backer's document and under Revisions, deleting the second paragraph of Section 15 which begins “The Department shall indemnify and hold harmless the Authority.....” leaving the first paragraph of Section 15 and adding Section 21 and including the minor changes to Section 3 (a) and Section 7. Seconded by Mark Toussaint and voted with all in favor. Discussion followed on a termination

date and it was noted that the delegates would like to see it terminate on October 31, 2010 and a new Agreement be negotiated over the winter. Mr. Berger will discuss this with the CLA attorney.

Jerry Murphy moved to go into Executive Session at 9:33PM to discuss a legal issue, seconded by Phyllis Schaer, voted with all in favor. The delegates went into Executive Session and all the guests left. At 9:54 PM the delegates returned from Executive Session noting no actions, decision or motions were made.

Old/New Business: None

With no further business to come before the Candlewood Lake Authority, Jerry Murphy moved to adjourn, seconded by Ed Siergiej. Meeting adjourned at 9:54 P. M.

Respectfully submitted,

  
Richard Stroh, Secretary  
Frances Frattini, Administrative Coordinator

r/b/s



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***Executive Director's Report***  
***July 13, 2010***  
***Larry Marsicano***

*The following report summarizes activities from June 4, 2010 to July 13, 2010.*

## **RECREATION / PUBLIC SAFETY MANAGEMENT**

A meeting between CLA, the CEOs of CLA member towns and the CTDEP took place on June 9<sup>th</sup> to discuss supervision of the CLAMP. There Commissioner Marrella agreed to the CT DEP providing the supervision of the CLAMP with the stipulation that non-POST certified LPOs would no longer be allowed to carry a firearm. Following the meeting, a draft agreement was sent by CT DEP for review. We asked our legal counsel to collect comments from the legal counsels of the municipalities and respond back to the CT DEP. There was a potential for losing LPOs due to the changes in the firearm policy. An ad was run in local papers soliciting applications and resumes from POST-certified individuals for position of LPO. A number of applications were received and conveyed to our Chief of Patrol. Fortunately, there was no loss of LPOs as originally feared.

## **PROJECT CLEAR / EDUCATION**

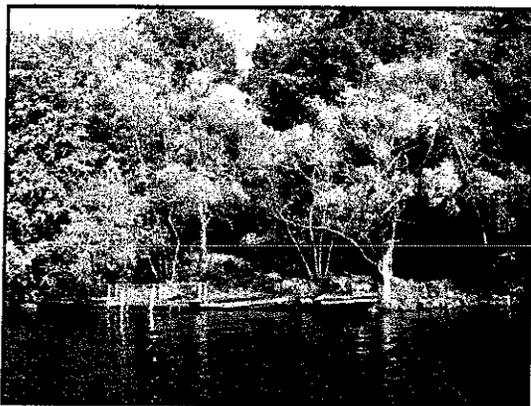
The Project CLEAR field program for local high school students successfully took place on June 24<sup>th</sup>, 25<sup>th</sup>, 28<sup>th</sup>, 29<sup>th</sup>, and 30<sup>th</sup>. The on the water research transportation was provided by Frank Cioffi and Bill Lohan from our board and 11 community volunteers, and CLA staff. There were also approximately 15 teachers, field researchers, and visiting scientist who participated and provided guidance to the ~100 students who participated. A Project CLEAR presentation / reception took place the night of June 30<sup>th</sup> at the Sherman School. Addressing the attendees included US Congressman Chris Murphy's District Director Rob Michalik, CT Senator Michael McLachlan, and New Fairfield First Selectman John Hodge.

This year was the seventh year of the program under its current format and the first of a two year cycle. Education Connection has learned that all inter-district grant programs funded by the Connecticut Department of Education are being cut by 30% next year and we will be revisiting the CLEAR budget. In addition, there is concern that at some point in the future the Connecticut Department of Education will stop funding Project CLEAR. We will need to begin developing contingency funding mechanisms if we are committed at keeping Project CLEAR part of the long-term management strategy for Candlewood Lake.

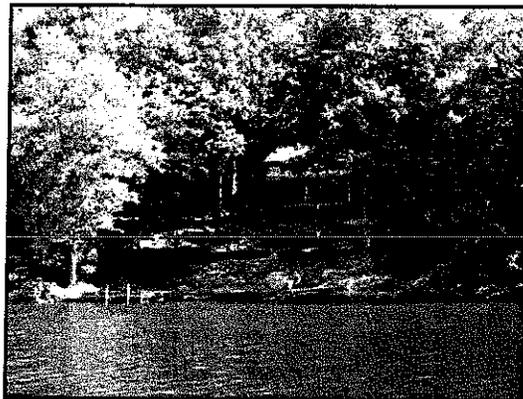
**WATERSHED / SHORELINE MANAGEMENT**

Last month I reported on our efforts to expedite the resolution of Pine Island shoreline problem. After the CLA coordinated several meetings since the first of the year, a letter was sent by FirstLight to Pine Island property owners requiring registration of uses below the 440 and removal of unpermitted materials (including garbage) below the 440 within 30 days of receipt of the letter (dated May 18<sup>th</sup> and sent out on June 3<sup>rd</sup>). There has been no communications from FirstLight with the CLA on this issue since early June. However, I did learn that FirstLight provided a tour of the shoreline to First Selectman Hodge and Tim Simpkins later in June.

We had one of our interns begin the creation of a document showing shoreline areas before and after disturbance since our use of the Watershed / Shoreline Database Management System (see below). We will continue to work on this.



Number Null Old Road  
2006



Number Null Old Road  
September 19<sup>th</sup>, 2008



32 Greenwood Road, New Milford  
September 2006



32 Greenwood Road, New Milford  
July 30, 2009

We continue to work with Jim McAlister and the Candlewood Watershed Initiative on the Stormdrain Marking and Education Program.

### ***EURASIAN WATERMILFOIL MANAGEMENT AND RESEARCH***

On June 21<sup>st</sup> we coordinated the training of the students who will be monitoring the weevil experimental and control sites. Training was provided by Dr. Michelle Marko of Concordia College, MN, who is the PI for the project on Candlewood. On the night of June 22<sup>nd</sup>, we coordinated and co-sponsored the Science at Night seminar that focused on the milfoil weevils. Some of the comments from attendees included the seminar being the best of the three we have put on this year. On June 23<sup>rd</sup> we coordinated the stocking of ~16,000 weevil eggs or larvae that were purchased through a donation by FirstLight Power. Stocking occurred at one of the original sites and at a new site and was done by scientists from EnviroScience, Inc. We also provided transportation for Channel 3 Eyewitness News, the News-Times, and the media relations staff from WCSU. Students have started monitoring the sites beginning last week and we will continue to provide transportation and assist in their research.

### ***CT LAKES AWARENESS WEEK – JULY 11 – 17<sup>TH</sup>***

With the help of Representative Mary Ann Carson, and in conjunction with the CT Federation of Lakes, we were able to get a proclamation signed by Governor Rell, proclaiming the week of July 11<sup>th</sup> – 17<sup>th</sup> as CT Lakes Awareness Week. We coordinated a media campaign that was funded by the CFL and included the development of a press release that was distributed to every daily and weekly paper in the State of CT, as well as the major radio and TV stations.

### ***OTHER***

Water quality monitoring for June was conducted on the 17<sup>th</sup>. Bacteria monitoring began on the 15<sup>th</sup> and is done weekly each Tuesday.

On Saturday, July 3<sup>rd</sup>, I was the speaker at the Annual Meeting of the West Hill Lake Association in New Hartford, CT.

On Wednesday, July 14<sup>th</sup> I am the speaker for the Danbury Rotary Club.

On Friday, July 9<sup>th</sup> Keith Bevan worked his last day for the CLA as a summer employee. Keith has been working for us since 2005 while in high school at New Fairfield HS. He is also an alumnus of Project CLEAR. During his time with the CLA Keith has assisted in both research (e.g. water quality monitoring, weevils, etc.) and operations (e.g. vessel and grounds maintenance) and became a valued member of our staff. Keith is returning back to UMASS at Amherst for summer courses and then beginning his senior year in the fall.



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**July 14, 2010**  
**Public Education**  
**Mark Howarth**

## **2010 Dragon Boat Races:**

The 2010 dragon boat race preparation is in full swing. Teams have been signing up and we are within reach of doubling our team count and reaching the goal we set out to achieve. There are many areas we need to cover for this fundraiser and for it to be a success; we rely on the generosity of many volunteers. We are still looking for a number of volunteers to help us before race day and on race day. We have a team signed up from as far away as Bridgeport, but many local and lake community teams will make up our field of competitors, including many who are returning from last year. We are looking forward to a bigger and even better event this year.

## **Project CLEAR:**

Beginning on June 24<sup>th</sup>, we hosted the Project CLEAR field days, where around 100 high school students in the Project CLEAR program, participated in research in and around Candlewood Lake. The field research days ended on June 30<sup>th</sup>, the fifth day, with a final presentation to the public at the Sherman School in the evening. It was a well-attended event and the auditorium was filled. We had another very successful year with Project CLEAR and look forward to next year.

## **Weevil Seminar:**

One June 22<sup>nd</sup>, we participated in our third "Science at Night" seminar at Western Connecticut State University. This seminar's topic was weevils and the weevil research being conducted on Candlewood Lake. Presenting were Nancy Cushing from EnviroScience, Dr. Michelle Marko from Concordia College and Dr. Mitch Wagener from WestConn. It was attended by over 40 people and was a very interesting and informative session with a number of good questions posed by the attendees to our presenters. The evening was followed by light refreshments.