



CANDLEWOOD LAKE AUTHORITY

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

Minutes of Meeting February 11, 2009

Attending:

H. Berger Sherman
C. Reppenhagen Sherman
P. Schaer Sherman
S. Murphy Brookfield
G. Hofsess Brookfield
E. Siergiej Danbury
H. Mayer New Milford
R. Guendelsberger - New Milford

Absent:

P. Callahan New Fairfield
B. Kemble New Fairfield
R. Stroh New Fairfield
F. Cioffi Brookfield
S. Conroy Danbury
G. Dufel Danbury
M. Toussaint New Milford

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

Recorder F. Frattini

Guests: C. Ricci, New Milford
M. Propper, Danbury

In the absence of the Chairman, Howie Berger, Vice Chairman called the regular meeting of the Candlewood Lake Authority to order at 7:45 P.M. at Brookfield Town Hall, Brookfield, CT. Mr. Berger welcomed the guests and noted a few additions to the Agenda, namely the presentations on the Drawdown and the Dragon Boat races and an Executive Session to discuss the pending legal action.

Secretary's Report: Mr. Berger asked for a motion to accept the minutes of the January 14, 2009 meeting, Harold Mayer moved to accept the minutes as presented, seconded by Glenn Hofsess and voted with all in favor, minutes have been accepted as written.

Chairman's Report: As the Chairman is away there was no report.

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DANBURY TOWN CLERK

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BY: 

Vice Chairman's Report: Howie Berger for the record both personally and on behalf of the CLA thanked Katherine Mersereau for her service and contributions to the CLA as a delegate from the Town of Sherman. Mrs. Mersereau has recently been replaced by Mrs. Phyllis Schaer as the new Sherman Delegate. Mr. Berger then introduced Mrs. Schaer and she gave a brief bio of herself. Mrs. Schaer is not new to the CLA, as she has been attending SMP and LAC meetings both personally and on behalf of the Town of Sherman. Mr. Berger welcomed Mrs. Schaer.

Mr. Berger then reported on the community victory in that FirstLight has agreed to remove the fees for administering the SMP. There may still be a few points that need to be addressed. For the record Mr. Berger noted that not having interveners in attendance at the recent meetings was wrong, as they should have the same rights as the Towns and Lake Authorities.

Mr. Berger then asked Mr. Marsicano to give the Drawdown Presentation, which was prepared from the research done by Alex Messerle and Mr. Marsicano. Mr. Marsicano noted that a report with the figures used in the presentation will be on the website soon. The presentation gave an overview of the drawdowns since 1985 showing which worked at times and which did not at other times. It was noted that those years that had the lake down to 419' by January 1 and kept it down for 60 days or more during some of the coldest winter weather worked the best. Since 1997 the operating parameters of the drawdown have varied with less successful results. Mr. Berger called this a CLA Investigative Report on the guidelines of drawdowns at Candlewood. Discussion on an integrated approach to weed control with they drawdown, weevils and possible use of chemicals followed.

Mr. Berger noted that the next investigate report will be on overcrowding and recreational use on the Lake. Again it will be done with community help.

Harold Mayer noted that under the SMP FERC allows FirstLight to approve boat docks of ten or less without asking for FERC approval – there is sufficient data to go to FERC to request a comprehensive plan to prevent overcrowding on the Lake.

Treasurer's Report: Glenn Hofsess Treasurer, advised that he would have the January Report for next month. He did advise that in January another ¼ of Sherman was paid, and that donations to date are at \$16,500. He also advised that Line #123 has been exceeded and Lines 318 and 321 are near their totals. Ed Siergiej moved that Lines #123, 318 and 321 be allowed to exceed their line total as long as they remain within the committee budget total, seconded by Charlie Reppenhagen and voted with all in favor.

Mr. Berger advised that the HR committee is looking at a new Health Plan for the CLA, which may have substantial savings and will report back next month.

Mr. Berger then asked Mark Howarth, Public Education Director, for his presentation on the Dragon Boat Races. Mr. Howarth showed a short video on the races and then advised that the company 22Dragons handles everything on the water and CLA would be responsible for the rest. He advised that he has a few potential sites on the lake i.e. New Milford, Danbury and Sherman Town Parks and also at Squantz. The company will do a site visit to analyze the sites and suggest the best one. The Executive Committee has allocated money for the site visit. Mr. Howarth has a committee of eleven volunteers from both CLA and community to work on the event. Mr. Hofsess stressed the need for the delegates to get involved in the planning, looking for sponsors and on the day of the event. This will be good publicity for the CLA. The

fundraising will come from the sponsors, and participants who may be corporate teams, schools, lake associations, and individuals. 22Dragons fee to host the event on the water is sixteen thousand (\$16,000.00) dollars. Mr. Howarth noted that this would be something different on the lake and exciting for the Candlewood community as well as a fundraiser for the CLA. Course is 250 meters long and 60 meters wide.

Committee Reports:

Public Safety: In the absence of the committee Chair, Charlie Reppenhagen, noted nothing at this time.

Equipment/Facilities: Ed Siergiej, Committee chair, reported that he is ready to order the new buoys for 2009. That he is finalizing getting the boat to the manufacturer for the T-top replacement. He also advised that the Patrol would like Blue Lights on the PWC's, he is obtaining quotes for the work but needs more information from the Public Safety Committee before asking the delegates to approve the expenditure.

Watershed Management: Harold Mayer, Committee Chair. Noted they had not met in January but will be meeting later in February.

Public Awareness: No report.

Phyllis Schaer reported on her attendance at the LAC (Lake Advisory Committee) meeting. Again there were no stakeholders or Town representatives invited, nothing from the last meeting was addressed as there was a specific agenda and no new items were brought up. The committee meets annually and really should meet more often such as quarterly and should include representatives of the 5 municipalities on Candlewood as well as the other lake Towns. It was noted that the Watershed Management Committee was asked to include the LAC for discussion at their next meeting. Mr. Mayer agreed.

Mr. Marsicano noted that there are two LAC's one is required under the RMP (Recreational Management Plan) and another under the SMP (Shoreline Management Plan). FERC was specific in who will be involved and the list under the RMP is not as inclusive as the long list in the SMP. It was noted that the Utility has met the requirements of the FERC-approved RMP.

Executive Director's Report: Larry Marsicano noted that his report is attached to these minutes. He advise that he was asked by Rep. MaryAnn Carson to present testimony on a bill that would require DEP to work with the CLA Towns to determine how to control boats on the lake be it length, motor size etc.

He advised that the Candlewood Watershed Initiative group from New Fairfield will be presenting on March 7th a presentation on Landscaping for Lakefronts. He will forward this information to the Public Awareness Committee.

He reported that a donation of two thousand (\$2,000.00) dollars had been received from the Pinkerton Foundation at the Request of Mrs. Joan Ricci; the donation is to be used in connection with the abatement of Eurasian Water Milfoil Project on the Lake. He thanked Mr. Cliff Ricci who was in the audience.

Old/New Business:

Discussion of Statue #7-151B.

Mrs. Frattini noted that she had researched the old minutes and found that a motion had been passed in June 1990 to indemnify the Patrol, employees and delegates, and in July 1990 to purchase the insurance policy to do this. These have been turned over to an attorney for his advice on whether or not the CLA needs to pass another motion at this time.

Mr. Berger noted that the CLA would be moving into Executive Session to discuss the pending legal action – Charlie Reppenhagen moved to go into Executive Session seconded by Susan Murphy and voted with all in favor the CLA went into Executive Session at 9:26 PM.

At 10:10 PM the delegates returned to the meeting from the Executive Session noting that no votes or motions were made during the Executive Session.

With no further business to come before the Candlewood Lake Authority, Bob Guendelsberger moved to adjourn, seconded by Ed Siergiej. Meeting adjourned at 10:11 P. M.

Respectfully submitted,



Mark Toussaint, Secretary
Frances Frattini, Administrative Coordinator

r/b/t

These minutes are not considered official until they have been approved a the next regularly scheduled meeting of the Candlewood Lake Authority.



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**Executive Director's Report
February 5, 2009
Larry Marsicano**

The following report summarizes activities between January 12, 2009 and February 5, 2009.

SHORELINE MANAGEMENT PLAN

Meetings were held by FirstLight Power Resources at the New Milford Town Hall on January 14th and February 4th. Attending were FLPR representatives, the CEOs of the involved municipalities or their representatives, and the lake authorities. At the first meeting, the unresolved SMP issues were identified. At the second meeting, FLPR discussed revisions to the SMP which included doing away with registration and annual fees.

A presentation outlining the changes to the SMP can be viewed by clicking on the "Suggested Revisions to Shoreline Management Plan – February, 2009" at <http://www.firstlightpower.com/generation/default.asp>

The CLA will be working with FLPR to help make revisions to issues like buffers prior to the next meeting scheduled for February 25th.

INTENT TO COMMENCE LEGAL ACTION AGAINST CLA

We have been in regular contact with our insurance carrier, the attorney representing them, the attorney representing the municipalities' insurance carrier, the town attorneys, and attorneys that are or will be representing the CLA and its individuals. The Executive Committee has committed to ensuring that all delegates, staff and lake patrol officers are protected from this potential legal action.

RECREATIONAL USE ISSUES / HOUSE BILL 5823 / LAKE ADVISORY COMMITTEE

During the week on January 27th, we learned that the bill Representative Mary Ann Carson introduced was raised and that a public meeting was to be held on February 2nd. House Bill No. 5823 is AN ACT CONCERNING THE RECREATIONAL USE OF CANDLEWOOD LAKE. The draft text include:

Be it enacted by the Senate and House of Representatives in General Assembly convened:

That the Department of Environmental Protection, in consultation with the towns of Brookfield, New Milford, Sherman and New Fairfield, and the city of Danbury, make recommendations concerning the maximum boat length and maximum motor size permitted on Candlewood Lake.

Statement of Purpose:

To require the Department of Environmental Protection, in consultation with the towns bordering Candlewood Lake, to make recommendations concerning the recreational use of the lake.

On February 2nd, the CLA did provide written and oral testimony at the State Legislative Environment Committee Public Hearing. Text of the written testimony will be available on our website in the near future.

On January 27th, the Lake Advisory Committee, per the Recreation Management Plan, met. Newest CLA board member from Sherman, Phyllis Schaer and Harold Mayer attended as well as the Executive Director. Also attending were representatives from the other lake authorities and FirstLight, as well as Kevin Mendik from the National Park Service. Recreational issues on the lakes were identified by those attending. FLPR shared data they had gathered over the past year, including the aerial flyover data on in-use vessels and trailer counts. FLPR will be providing the CLA digital maps of the flyover data so we can begin assessing boating density and add to our draft report entitled RECREATIONAL PRESSURES ON CANDLEWOOD LAKE. The draft report will be available on our website soon.

RESEARCH ON HISTORICAL DEEP DRAWDOWNS

With the help of Alex Messerle from New Fairfield, we are developing a report on the use of deep drawdowns at Candlewood Lake. This report looks at characteristics of the drawdowns since the management program's inception in 1985, how those characteristics changed, historical data on weed densities, the "back-to-back-to-back drawdowns in 05, 06, & 07, and makes some recommendations for going forward. A draft will be available on our website and will be presented to the Technical Committee when they meet in the months to come.

CANDLEWOOD WATERSHED INITIATIVE

In conjunction with the CWI, we have been involved in the identification and mapping of outfalls and pipes draining into Candlewood in New Fairfield. CLA staff has been working with staff from the New Fairfield Department of Health and have walked the entire shore, locating and recording pipes with a GPS-ready digital camera. This data will be integrated into the Candlewood Lake GIS system.

We have also been collaborating on a number of public seminars. The first of these is scheduled for Saturday, March 7th and will be by Sean Hayden from the Northwest Conservation District and Lisa Turoczi from Earthtones Nursery on "Protecting Water Quality with Simple Landscaping Techniques." The event will be held at the New Fairfield Senior Center.

We attended in a meeting with CWI on January 26th.

NSF LETTER OF INTENT SUBMITTED

On January 30th we met with faculty at Western Connecticut State University and staff from Education Connection involved in Project CLEAR to work on a grant proposal to the National Science Foundation. Dr. Dora Pinou of the Biology and Environmental Science Department submitted a letter of intent to NSF which precipitated a request from NSF to submit a full grant proposal. Also participating in the workshop were her colleagues Dr. Tom Philbrick and Dr. Tom Longerman, Chairman of the Department. The proposal if funded will move Project CLEAR to a whole new level with greater interactions between the CLA, WCSU and Education Connection. The grant proposal is due to NSF by the end of February.

Bills To Watch

HB 5823 AN ACT CONCERNING THE RECREATIONAL USE OF CANDLEWOOD LAKE

Introduced by State Representative Mary Ann Carson and co-sponsored by State Senator Michael McLachlin, the bill looks to require the Department of Environmental Protection, in consultation with the towns bordering Candlewood Lake, to make recommendations concerning the recreational use of the lake.

SB 704 AN ACT ESTABLISHING A HOUSATONIC VALLEY REGIONAL POWER AUTHORITY.

Introduced by State Senator Michael McLachlin. Purpose is to create a quasi-public agency entitled "The Housatonic Valley Regional Power Authority" that shall have the power to acquire, improve, rehabilitate, maintain and operate electric generating and related facilities in the northwest region of the state and specifically such facilities as are on or adjacent to Candlewood Lake and Lake Lillinonah.

HB 5277 AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE INVASIVE PLANT COUNCIL.

Part 2 - (2) exempt the moving of invasive plants for eradication, research or educational purposes from the prohibition of this section – is important because right now it is illegal to transport invasives at all. We need to be able to transport weeds that were removed and bring them to places that compost, e.g. New Milford Farms.

HB 5917 AN ACT CONCERNING THE ESTABLISHMENT OF AN INVASIVE AQUATIC PLANT ERADICATION AND CONTROL PROGRAM

Good intent, BUT they want to do it with a boat sticker program.

HB 5875 AN ACT AUTHORIZING DISTRICTS TO MAINTAIN WATER QUALITY IN LAKES.

Again, good intent but it is promoting the protection of water quality by the few for the many. If it enables, but doesn't mandate, towns to create these districts if so desired, that could be a good thing.

HG 5505 AN ACT CONCERNING THE ALLOCATION OF CERTAIN BOATING FEES.

So municipalities with Harbormasters can collect boating fees, but towns with lake authorities can't?

HB 5465 AN ACT CONCERNING PHOSPHORUS IN DETERGENTS.

Good idea – prohibits phosphorus in washing machine detergents. Not sure why they didn't recommend prohibiting phosphorus in dishwasher soap as well and elected to allow 5 or less %. Maybe dishwashing detergent won't work without it?

HB 5624 AN ACT CONCERNING APPROPRIATIONS TO THE DEPARTMENT OF PUBLIC HEALTH FOR PURPOSES OF CREATING A REGULATORY FRAMEWORK TO IMPLEMENT APPROVALS OF ALTERNATIVE ON-SITE SEWAGE TREATMENT SYSTEMS.

This one is important. We are going to see more and more problems with on-site septic systems as they get older. There are lots of good alternative technologies out there but missing is a regulatory framework to approve them. This will become as important at Candlewood as it is already at other lakes.



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February 11, 2009
Public Education
Mark Howarth

Drainpipe Study:

We worked with the Town of New Fairfield in mapping the drainage pipes that feed into the Lake within their town borders. Beginning in January once the water was drawn down and there was good ice cover on the lake, we began a series of days over several weeks, walking the shoreline of Candlewood Lake and Squantz Pond in New Fairfield with the NF Department of Health. Each drainpipe that was located and determined to likely be road drainage was recorded for diameter and material of construction. It was then photographed using the CLA's GPS enabled camera. Upon the completion of surveying the New Fairfield shoreline, the photos were uploaded to our GIS system. The points were plotted on the Candlewood/Squantz map and linked to the corresponding photos to give us a permanent record for the New Fairfield shoreline.

February E-Newsletter:

A February E-Newsletter has been created and was sent out. Topics that were covered in this version were the above mentioned drainpipe study, the announcement of the Feb. 28th boating safety course being offered by the Marine Patrol and Danbury Elks Lodge, a summary of the drawdown research, a lake protection tip, the proposed legislation on recommendations for a maximum boat size/motor size, the announcement of a lake landscaping seminar and a call for volunteers for Project CLEAR week in June.

Dragon Boat Festival:

It has been decided that we will move forward with the idea of hosting a dragon boat festival as a fundraiser this year. We are working to establish our core festival committee who will provide assistance in the planning of this event. The first major step will occur when the production company comes to Candlewood Lake for a site visit to determine the best location to host the event. We are currently considering several options. During their one day visit they will also host a strategic planning session with our festival committee at which they will go over all of the planning that is needed leading up to the festival as well as cover the details of what happens on festival day.

Website:

We continue to make progress with the new website, working through any issues as we come across them. As we progress, we are also working to add features and enhancements. We are hoping to be able to determine a "go live" date in the near future so that we can open our new site to the public.

