

***HOUSATONIC RIVER ESTUARY COMMISSION
MEETING MINUTES
Thursday, March 27, 2008
7:00 P.M.
Room B, Parson Building
Milford, CT***

1. CALL OF THE MEETING/PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:00 P.M. by Chairman Gesullo.
All in attendance pledged allegiance to the flag.

2. ATTENDANCE

Robert Gesullo, Chairman, Shelton
Lori Romick, Vice-Chairman, Milford
Jason Blake, Commissioner, Orange
Phil Marcucio, Commissioner, Derby
Bill Urban, Commissioner, Ansonia (arrived at 7:45 PM)

Also in attendance:

Marianne Chaya, Clerk, HREC
Doc Gunther, Retired State Senator
Susan Peterson, CT DEP –Housatonic Watershed Coordinator
Gary Montano – Chairman, Milford Harbor Management Commission
Scott Corner – Stratford Harbor Waterfront Commission

3. PUBLIC PORTION OR GUEST

Gary Montano commented that he is happy that for the many years of Doc Gunther's efforts have paid off. The last few assets that the State and cities have are the waterways, harbors and marinas. I wanted to bring to this commission that there is a joint effort coming up on May 3rd, which is a river cleanup. It is a combination of Milford, Stratford and Shelton organizations volunteering. My company is donating gloves, bags, and water. The city of Milford or our commission is donating a 30-yard dumpster that will be put at the state dock.

Scott Corner stated that this cleanup is a combined effort of 5 boat clubs. Stratford's participation is from Stratford boat owners and Pootatuck Yacht Club. From Milford it will be Valley Yacht Club and River Club. Harbor Valley from Shelton and Clean Sounds. We broke this up in 3 sections; there are 3 boat ramps – Birdseye in Stratford, the state ramp in Milford, and Sunnyside in Shelton. We will be taking it from the Route 1 bridge south up to the mouth. This is also the same day of the Stratford Beautification Day. The 2 Milford clubs will go from the Rte. 1 up to the Parkway bridge. Shelton and Clean Sound is going to go from the Parkway bridge to as far north (to the Derby dam). Right now we

have over \$3K from sponsors – including water and food from local businesses. Right now we have about 150 volunteers. We will also have several boats available.

Susan Peterson, from the CT DEP distributed the following outline for the Commissioners:



DEPARTMENT OF ENVIRONMENTAL PROTECTION

HOUSATONIC WATERSHED (General overview of issues, projects, etc.)

General

- Bureau of Water Protection and Land Reuse (P&SD, IWRD, OLISP, Remediation)
- Watershed Management Program
- Water Quality Standards & Maps
- Integrated Water Quality Report to Congress - CWA 305(b)
- Impaired Waters List-CWA 303(d)
- 319 Nonpoint Source Grant Program (Watershed Based Plans and
- Aquifer Protection Program
- 2002 CTE&S Guidelines
- 2004 CT Stormwater Quality Manual

Housatonic (and Statewide) Issues & Projects:

- LIS Nitrogen Total Maximum Daily Load
- Phosphorus eutrophication issues
- General Electric Housatonic PCB Remediation
- Federal Energy Regulatory Commission - Power Projects (FirstLight / Tidal / LIS)

HOUSATONIC RIVER ESTUARY COMMISSION
MINUTES FOR THE REGULAR MEETING, MARCH 27, 2008

- Dredging issues
- Site specific remediation issues - Lower Housatonic
 - o Stratford Army Engine (Stratford)
 - o Raymark (Stratford)
 - o Remington Gun Club (Stratford)
 - Sullivan's Island (Derby)
 - Greenways

Other programs to contact within CT DEP Water Bureau:

- Long Island Sound Study Program (research & education)
- Office of Long Island Sound Program (regulatory and grants)
- Remediation Division

Other organizations to contact:

- Regional planning organizations
- Housatonic Valley Association
- Connecticut Audubon

For more information:

Susan Peterson
Housatonic Watershed Coordinator
Environmental Analyst
Watershed Management Program
Bureau of Water Protection and Land Reuse
Planning & Standards Division
79 Elm St
Hartford, CT 06106
Phone: 860-424-3854
E-mail: susan.Peterson@ct.gov

Ms. Peterson detailed most of the outlined items and programs as well as what her responsibilities are for the Commissioners and addressed the questions as they arose. (The entire presentation is on tape and is available at the Shelton City Clerk's office)

They also discussed working together in the future. Ms. Peterson offered to have them contact her at any time as well as her other colleagues.

Doc Gunther commented that he felt the Commission was going in the right direction. It is so important to tie the 6 towns together, and he apologized for Stratford's non-participation. The other Stratford Commissions said they felt this would be a duplication of efforts. Doc said he didn't feel it was duplication and that we need this Commission.

Chairman Gesullo said that he had a letter from the Stratford Mayor saying that they would not be joining this group, as determined by the town council. Then it came up again by a council member. I have been trying to contact this person and have gotten nowhere. Stratford is important. Without the waterfront commissions this commission would fail. We have other towns that don't have this kind of resource. We want you to be successful but we want you to be able to have another platform with the towns coming together and supporting each other. Hopefully it's a win-win situation.

Doc Gunther recounted the efforts of a town working 7 years on getting the mouth of the river dredged. I am on the Maritime Commission and at the last meeting we discussed dredging the mouth of the river and using the materials at Hammonnasset Beach. He discussed some of the details of what was holding up the process – the testing and the reporting.

Mr. Gunther asked if one of the Commission members would come to the next Maritime Commission meeting in April 16 at the Aqua Culture School in Bridgeport. Chairman Gesullo volunteered.

Mr. Gunter showed the Commission a report he had from 1968 discussing the Interior Dept's approval of dredging the Housatonic River from Fowler's Island north to the Housatonic Dam. At the time the senator from Shelton and he was working on getting the entire length of the Housatonic and they would have paid the State of CT \$4M for the materials they took out. We could have had the river, not to a dredged channel, but to bring it back to the parameters when Derby was a seaport. We could have had a restoration and I feel very strongly about it and have been bringing this up at the Maritime Commission for months. The federal government is now talking about dredging and mentioning the beneficial effects to the environment – not just the benefits for navigating for the recreational and commercial boats.

Doc Gunther showed an aerial photo of the Army Engine plant and discussed possible scenarios.

Chairman Gesullo thanked Mr. Gunther for coming to this meeting and noted that he has been a good friend to this community and a good friend to this river.

Thank you for the seeds you planted and hope that we can take it to a satisfactory conclusion.

Doc Gunther commented that it's not what he's done, it's what you people pick up and do.

3. APPROVAL OF THE JANUARY 24, and FEBRUARY 28, 2008 MEETING MINUTES

Vice-Chairman Romick MOVED to accept the minutes from the January 24 and February 28, 2008 meetings. SECONDED by Commissioner Blake. A voice vote was taken; all were in favor with Commissioner Marcucio abstaining. MOTION PASSED.

4. APPROVAL OF BYLAWS AND MISSION STATEMENT

Vice-Chairman Romick noted the small change to the mission statement where it shows LR edits and the date. That should be removed.

Chairman Gesullo commented that the bylaws are an on-going thing; we can make adjustments to them. We just want to get it going.

Chairman Gesullo read the mission statement.

Commissioner Urban MOVED to approve the bylaws as corrected. SECONDED by Commissioner Marcucio. A voice vote was taken; MOTION PASSED.

Chairman Gesullo read the mission statement again.

Commissioner Blake MOVED to accept the mission statement. SECONDED by Vice-Chairman Romick. A voice vote was taken; all were in favor, MOTION PASSED.

5. FINANCIAL DISCUSSION – STATUS OF ESTABLISHING TRUST AND AGENCY ACCOUNT WITH THE CITY OF SHELTON

Chairman Gesullo confirmed that the most convenient way was to set up an account with one of the towns. We chose Shelton for the simple reason that Marianne works for the City of Shelton and it would be easier for her to get paid. We don't expect to have a lot of expenses. I sent a communication to the President of the Board of Aldermen asking him to get it approved. The finance group said it would be ok but would need BOA approval. The President, John Anglace, came back and kind of balked at it. I called him and explained what we were doing and he since reversed his position. He does have it on the BOA agenda for April 10th. The funds used to pay Marianne are coming from the \$1000 they gave us to kick this off. So far what has been spent is \$409.98. We need to get the money from each town to Shelton.

Tape 2, Side A

Vice-Chairman Romick stated that she has the \$1000 allocated for this fiscal year and another \$1000 for the 2008-09 fiscal year. We need to provide them with a bank account.

Commissioner Marcucio said that he would need a letter explaining the amount we are looking for and who to make the check out to. Chairman Gesullo said he would update the original letter and redistribute after the Shelton BOA meeting on April 10th.

Commissioner Blake suggested that we make a donation to the river cleanup. Chairman Gesullo said he would forward all the invoices to date to Commissioner Blake once the account is set up.

6. COMMISSIONER'S REPORTS & OUTREACH EFFORTS

Chairman Gesullo stated that he was approached by the City of Shelton that they wanted to put in a dock at the boat ramp and wanted a position from this Commission to support that. The reason it came through is that they were looking for some funding through the Long Island Sound License Plate thing. They felt their proposal might justify that. I don't think it does, but that is not up to me. They asked me to support it. I went down there and asked questions, such as what are you doing and how are you doing it, what permits do you have, and after it's done what would the maintenance? What happens when the next flood comes down here? They did address my questions. There are two marinas next to the Shelton boat ramp. The marina owner, who would install the pilings and would help maintain it for the City, was satisfied with it. My focus was on public access to the river. They do a fairly decent job at that boat ramp. There was a deadline for the funding so I had to write a response in between the meetings. I copied all of you on my correspondence regarding our position. (Letter read). The letter was in support of the dock providing all the necessary funding and approvals were done.

Commissioner Marcucio asked if it was for public use and the size. Chairman Gesullo said yes, it is for the public and he didn't know the size but it would not be very large.

There was discussion of who would be using it.

Scott Corner commented that if state money is used you can't confine the use to the town residents only and the rates can't be different.

Commissioner Blake commented that there are problems with that ramp because it is very shallow and it's not really maintained from the water level down. There are a lot of rocks.

Chairman Gesullo stated that he had to respond prior to this meeting and he emailed his letter to all Commissioners.

Commissioner Blake asked what if they were to take it to the next level and wanted to dredge, to which Chairman Gesullo responded there is no proposal for dredging.

Chairman Gesullo stated that they were contacted by the Housatonic Valley Association regarding a program they call Low Impact Development. We were sent a proposal and they were looking for our support. We sent a letter (read and attached).

Chairman Gesullo mentioned meeting with the Citizen's Advisory Board, who is working on the Riverwalk extension. They were asked by the Planning & Zoning Commission on their position of further of industrial uses of contractor's yards on the riverfront. Apparently some of the areas have deteriorated. They came forward and wrote a very strong position on recommending that P&Z not approve anymore of that type of use. They asked for my opinion and I wrote a letter (read and attached).

The Commissioners discussed the contents of the letter.

Commissioner Marcucio stated that he would like to get a good boat launch in Derby. He mentioned some of the proposals in the past and the Commissioners gave some ideas especially if it could be tied in with grants. He is concerned about how long this process would be.

Vice-Chairman Romick asked if everyone was on the DEP e-alert for any notices coming up. What she received was notice that Iroquois wants to put in a compressor station at the end of Oronoque Rd. in Milford (on the river). This will be needed once Broadwater is up and operational. I did talk with people at DEP about the location. The document that is online is about 300 pages and I did not download it. This appears to be an extension of the existing pipeline. DEP's initial thoughts are that the compressor station, which is several hundred feet up the bank is not an issue or worry for the river itself. They say there will not be any runoff and it's not a water dependent use.

7. DISCUSSION ITEMS

A. BOATING SAFETY – LAW ENFORCEMENT ON UPPER PART OF RIVER

Chairman Gesullo stated that the area involved is from Caswell Cove up to the marinas in Shelton. One of the complaints that I heard when I was at the Friends of the Housatonic River (FOTHR) is that there is no law enforcement. I suggested talking with the Coast Guard. The Coast Guard is not the first on-scene law enforcement. You have police, harbor masters, fire depts., DEP, etc. I talked with the Coast Guard station and with the Stratford Auxiliary 24-2 group who said they could see about increase in their patrol missions on the weekends, simply as a deterrent. There is an off-water MDA patrol but that is only about every other month. They asked if there is anything this Commission could do about boating safety and law enforcement.

Mr. Corner commented that about 10 years ago he was asked to go up there and help them set up a marine patrol. I did but your Mayor and former Police Chief abolished it after it was set up for 2 years and running good. They said we don't need it and we are not going to fund it; the DEP will take care of it. He explained how it was set up and how it ended.

Last year new speed limits were put in place and there were several complaints registered with the DEP. They asked our Harbor Master to go up there and enforce it and we said no, but we would provide mutual aid. We think that the state figured Stratford and Shelton were one in the same.

Chairman Gesullo commented that he thinks because of the addition of 250 slips at Beacon Point is going to be a concern.

Mr. Corner said that at the time they even offered to help set up a Harbor Master program and they said no. It was assumed because that was 10 years ago and things have changed.

Chairman Gesullo asked, does boat safety law enforcement on the upper part of the river, who and how, something we should be concerned about?

Vice-Chairman Romick said she didn't feel boat safety is something this Commission has stewardship over but the wakes and motor size are. The wakes cause erosion.

Chairman Gesullo said he would comment that this is a community effort situation and it's not just up to this Commission.

Vice-Chairman Romick said that DEP offered to step up their enforcement and stop into the marinas every once in a while.

8. MEETINGS ATTENDED/REPORTS

Vice-Chairman Romick stated she attended and commented on the results from the State Shellfish Commission meeting and Trout Unlimited at Beardsley Zoo. She also mentioned that there would be a Housatonic River Museum in MA. The curator is Stephanie Bergman. She is requested any information we may have, such as old photos, etc. I have her card and email. I met with Margaret Minor from the Rivers Alliance of CT. She is interested in talking with us and coming to a meeting. I also went to the Long Island Sound event and picked up some of the brochures.

Chairman Gesullo reported that he met with the Friends of the Housatonic River (FOTHR). They gave me some of their bumper stickers. This is a private organization and they do have money. They are very vested in the river and community players. They see the river as "their river". I do see they do some very good work there but they do not see what we can do for them. I did make it clear to them that we need them and they are an extension of what we are doing here and hopefully that meeting was the first of others to come.

9. UPCOMING MEETINGS

Vice-Chairman Romick informed the Commissioners of the NEMO (non-point education for municipal officials) meeting in Westport, Monday, April 7.

Commissioner Urban explained the history of the formation of some of the groups.

10. OLD BUSINESS/NEW BUSINESS

Chairman Gesullo brought a letter sent to him by Jeff Snyder of his comments since he was not able to attend the meeting. He briefly discussed some of the points. Most of the points were in support of the letters written as well as the minutes from the last two meetings. He also discussed how the commission should proceed when issues come up between meetings that need immediate attention.

The Commissioners discussed how they could handle this within the legal limits (FOI requirements and Roberts Rules).

Tape 2, Side B

The Commissioners agreed that they should establish guidelines for the type of correspondence that the Commissioner may draft and transmit with commentary with by at least 50% of the membership if an issue comes between our meeting in such a way that we are supporting/not supporting it but not able officially commit to it until it's before the entire Commission at a meeting.

Vice-Chairman Romick informed the Commissioners regarding House Bill #362, Act Concerning Riverfront Protection. It is 25 pages from the environmental committee. They want to protect the river (buffer) from 100' from the rivers edge. She discussed some of the particulars and said this was something to watch.

The other bills have to do with allowing farms to do continue certain farming practices. One practice they want to continue is the watering of cattle and certain farm animals right up to the river. The other bill was an act placing a moratorium on alternative on-site septic systems. This would be in place except new municipal establishments or school projects.

Commissioner Urban brought a newsletter from Interstate Water Pollution Control Commission. There are resources listed that we can utilize. He also mentioned that Ansonia sewage treatment plant would be upgraded. Commissioner Urban stated there is a company out of California that publishes a newsletter called ARC news. For a long time it's been said that a huge percentage of the population will be centered within 50 miles off the 3 coasts (Gulf of Mexico, Atlantic & Pacific Coasts). This is a good overview of what's going on and why we should exist.

Commissioner Urban also brought in a brochure published 10 years ago – Caring for Coastal Wetlands, for Louisiana. This dealt with coastal wetlands planning & restoration act, US Geological Survey, Wetlands Research Center in Lafayette, LA.

He also brought in charts of the Long Island Sound and the mouth of the Housatonic River from the 1970's that the Commissioners could use and mark up.

Commissioner Marcucio suggested they print business cards for each Commissioner. Vice-Chairman Romick offered to design it. Commissioner Blake MOVED to authorize having business cards made. SECONDED by Commissioner Urban. A voice vote was taken, all were in favor; MOTION PASSED.

Vice-Chairman Romick showed the Commissioners the letterhead she designed.

Commissioner Blake suggested making a donation to the river cleanup. We need to wait until the account is set up. Commissioner Marcucio suggested everyone promote this in his or her respective towns.

11. NEXT MEETING DATE/PLACE

The next meeting date is April 24th in Shelton (Community Center).

12. ADJOURNMENT

Commissioner Blake MOVED to adjourn. SECONDED by Vice-Chairman Romick. All were in favor, MEETING ADJOURNED at 10:00 PM.

Respectfully submitted,

Marianne Chaya
Clerk, Housatonic River Estuary Commission

The following is the approved mission statement for the Commission:

Housatonic River Estuary Commission Mission Statement

Our mission is the stewardship of the Housatonic River Estuary and its tributaries to both restore and protect the interest of the Housatonic River in the communities of Shelton, Ansonia, Derby, Orange, Stratford and Milford, Connecticut.

This is the forum in which these communities, regardless of their own local or similar efforts, come together without borders to collectively work with one voice in the common goal for the welfare and the valued resources of the Housatonic River.

This will include the collaboration and interactions with other similar local or state organizations that also work to protect, the immediate area as well as the entire length of the Housatonic River and its tributaries as it may then affect one or all our communities at-large.

Our Mission is to support and foster the many components of this stewardship, including but not limited to Restoration, Conservation, Preservation, Recreation, and Economics as these actions/intentions relate to the Rivers Ecology, Environment, Economic Development/Planning, and Historical/Cultural values. We will seek to find collective, balanced solutions to provide equal value to these components as a strategy to promote continued restoration and responsible economic development of the estuary, and to protect against any future threats, changes or adverse impacts.

Bob Gesullo/ Shelton (Chairman)

Lori Romick/Milford (Vice Chairman)

Date: _____

The following is the approved bylaws:

Housatonic River Estuary Commission (HREC)

HREC Minutes should be considered a draft version until approved at the next regular meeting.
HREC Minutes submitted to the respective town's Town Clerk's office for legal posting requirements.
Tape recording of the meeting is available at Shelton Town Clerk's office.

BY-LAWS

ARTICLE I

NAME

Section 1. The name of the commission shall be the Housatonic River Estuary Commission (HREC). This commission is not affiliated with any other Housatonic River Estuary Commission.

This commission has been established in stewardship to restore and protect the interest of the Housatonic River in the communities of Shelton, Ansonia, Derby, Orange, Stratford and Milford, Connecticut. This is a forum in which the these communities regardless of their own local or similar efforts, come together with out borders to collectively work together for one common goal the stewardship of the Housatonic River.

ARTICLE II

GOALS AND OBJECTIVES

Justification: In accordance with CGS - Sec. 25-170(b), The Commission may study any issues relating to the Housatonic River and may make such recommendations as may be necessary to maintain, protect and restore the resources of the estuary of the Housatonic River. The Commission shall consider the adverse impact any action proposed in or for the Housatonic River estuary may have upon the marine resources of said river. The Commission may prepare and submit a report to the local legislative bodies of the towns represented on said commission.

Section 1. The Commission shall promote the highest standards of performance possible for those engaged in the environmental state of the Housatonic River, by:

- a) Encouraging and actively promoting the programs to protect and improve all environmental issues of the Housatonic River. To consolidate and or assist all other efforts of other organization who have the similar mission as the HREC.
- b) Maintaining at a high level, the qualifications necessary for promoting the advancement of all professionals in the field of environmental care of the Housatonic River.
- c) Facilitating standardization of methods in general environmental practices, while striving for increased recognition of Housatonic River resources.
- e) Develop, propose, support or defend changes in environmental legislation that would have positive impact on the Housatonic River, or its resources.

Section 2. It shall be the objective of this Commission to incorporate and encourage the informed participation of all persons professionally employed in the field of environmental standards and to provide a forum for the expression of their interests.

The Commission shall maintain cooperative relationships with national, state, local and other organizations, both official and nonofficial, which have the same or related interests in the River including the conservation of open space and wetlands, and estuaries as related to the River and its water fronts.

The commission may study any issues relating to the Housatonic River and may make such recommendations as may be necessary to maintain, protect and restore the resources of the estuary of the Housatonic River. The commission shall consider any action proposed in or for the Housatonic River estuary that may have adverse impact upon the marine resources of said river. The commission may prepare and submit a report to the local legislative bodies of the towns represented on said commission.

ARTICLE III

MEMBERSHIP AND DUTIES

In accordance with Connecticut General Statutes (CGS) Chapter 483b,

Housatonic River Estuary Commission (HREC)

Sec. 25-170. Commission authorized. Membership. Duties. (a) The towns of Shelton, Derby, Ansonia, Orange, Stratford and Milford may by ordinance establish a Housatonic River Estuary Commission. The ordinance shall set forth the number of members of the commission, their method of selection, terms of office and procedure for filling any vacancy. The commission may employ expert and such other assistants as it judges necessary and may accept funds from any source. Notwithstanding any other provision of the general statutes, funds appropriated to the commission, or received by the commission from any other source, shall be held in the custody of the commission and expended by the commission for the purposes set forth in subsection (b) of this section.

Section 1. The membership which shall be composed of seven {representative} members appointed from each towns CEO's Shelton, Ansonia, Derby, Orange, Stratford, Milford and one a member- at- large, these representatives will be the standing and voting members of the Commission and so titled Commissioner as directed by the CGS Chapter 483b, Sec. 25-170, allowing for local ordinance which has defined the terms of office for each member and who's replacement are then to be appointed by the towns CEOs, while the seventh Commissioner-at-large shall be chosen by the six town appointed Commissioners, and a standard code of ethics will be adopted from the cities ordinances.

HOUSATONIC RIVER ESTUARY COMMISSION
MINUTES FOR THE REGULAR MEETING, MARCH 27, 2008

The Commission shall meet at least ten (10) times per year or once per month at an agreed place of public access and with advanced announcement of the meeting including its planned agenda of discussion no less than 48-hours before such meeting. Special meetings may be called by the Executive Board or by written request of three Commission members.

ARTICLE IV

EXECUTIVE BOARD

Section 1. The Commissioners will vote for one of the appointed town members to serve as Chairman for the Commission, and another member to serve as Vice Chairman for the Commission which shall consist of the Executive Board, the terms of these offices is the same as the appointed membership as determined by local ordinance of two years. The Executive Board will appoint a Secretary who will record all meeting minutes and distribute for public access, in addition the Executive Board will appointed a Treasurer who will manage all funds and bank accounts for the duties of the Commission (the Chairman must Approve all expenditures in excess of \$100.00) the Secretary and Treasurer can be volunteers or paid for time services.

The Chairman and Vice Chairman of the Commission working closely with each Commissioner may appoint or form action Committees and outreach teams to work with each of the towns also the state and federal agencies in order to capture all issues for action, consideration and evaluations that need be or so deem should come before this Commissions.

Section 2. A quorum shall consist of a simple majority of the Board of Commission members. All Commission members are voting members having equal say.

Section 3. Members of the Executive Board have full voting privileges and other rights as defined in Article III, Section 1. The committee shall prepare a slate every two years for the nomination of a Chairman, Vice-Chairman, and appointments of Secretary and Treasurer. A simple majority vote by a quorum of the Commission members is required for election.

Section 4. In the event of a vacancy in the office of the Chairman, the Vice Chairman shall assume the duties of that office In the event of a vacancy in the office of Vice Chairman, Secretary or Treasurer, a voting member in good standing shall be appointed. The Commission shall make a written request to the respective town CEO for replacement of members as needed.

Section 5. A short biographical sketch of each member shall be included in each annual report to the towns.

ARTICLE V

OFFICERS AND THEIR DUTIES

Section 1. The Officers of the Commission shall be Chairman, Vice Chairman, Secretary, and Treasurer. Officers will be voted in by the Commission members at the end of each term as determined by local ordinance.

Section 2. It shall be the duty of the Chairman to preside at all meetings of the Commission.

Section 3. It shall be the duty of the Vice Chairman to assume all duties of the Chairman during the Chairman's temporary absence; the Vice Chairman may fulfill the Chairman's unexpired term in case of the Chairman's inability to complete the term of office.

Section 4. When any Commission member is absent for more than two consecutive meetings, the Chairman shall make a determination as to that member's intention to continue as a member of the Commission. The Chairman in executive session shall recommend to the Board that the individual be removed if it is shown that the member cannot effectively fulfill their duties; the Board shall vote thereon; a two-thirds majority shall be required to remove. The Chairman will then request in writing to the Towns CEO that the member needs to be removed and replaced.

If a Board member should be removed, the quorum as designated in Article IV Section 2 shall be reduced accordingly until such time as the position is filled.

Section 5. The Executive Board (under an executive session) may recommend to the towns CEO that board members are to be removed from office or chair that violates ethics or Executive Board policy. Removal shall be by two-thirds majority vote of the Executive Board in Executive session.

Section 6. Any member may perform any duties as may be assigned by the Chairman.

Section 7. The duties of the Secretary are to record and maintain the minutes of all meetings and maintain all related records. The Secretary shall serve as historian and parliamentarian of the Commission, unless otherwise designated by the Executive Board.

Section 8. The Treasurer shall maintain the financial records and manage the financial affairs of the Commission, as directed by the Executive Board. The Treasurer shall submit an annual financial report to the Executive Board and members at the Annual meeting. }

ARTICLE VI

FUNDING

HREC Minutes should be considered a draft version until approved at the next regular meeting.
HREC Minutes submitted to the respective town's Town Clerk's office for legal posting requirements.
Tape recording of the meeting is available at Shelton Town Clerk's office.

HOUSATONIC RIVER ESTUARY COMMISSION
MINUTES FOR THE REGULAR MEETING, MARCH 27, 2008

Section 1. The Commission can and is encouraged to seek funding from any viable sources including local municipalities, state government agencies and private funding only to the extent necessary to meet its obligation to fulfill the duties as so stated in 25-170 of the state statute which defines the Commission's authorized duties.

ARTICLE VII

SUSPENSION-REINSTATEMENT

Section 1. When the Executive Board (in Executive session) receives a written and signed complaint regarding any member's conduct it shall, at its next regular meeting, review each complaint and provide the member in question an opportunity to reply to the complaint. The Executive Board may, by affirmative vote, reprimand or expel any member whose personal or professional conduct is determined to be detrimental to the integrity of the Commission. The Commission may then request a replacement member to be sworn in by that corresponding Town. No hearing shall be required.

Section 2. A member who has been suspended or expelled for any reason shall be required to obtain a letter of support from the CEO of the representative town requesting reinstatement. Approval of all requests for reinstatement of membership shall be by a majority vote of the current Commission members.

ARTICLE VIII

MEETINGS

Section 1. There shall be an Annual meeting held no later than November 15th of each year. The Executive Board may call special meetings.

Section 2. There shall be a quorum irrespective of the numbers at each meeting and the Annual meeting provided a majority of the Executive Board is present.

Section 3. The rules contained in the latest edition of Robert's Rules of Order shall govern in all matters applicable if not inconsistent with these by-laws.

Section 4. Executive session is a closed session of a regular meeting; it is not open to the public nor minutes of the executive session be recorded. An executive session can be held before, during or after a regular meeting.

ARTICLE IX

FISCAL YEAR-PROCEDURES

Section 1. The fiscal year of the Association shall be from January to December .

HOUSATONIC RIVER ESTUARY COMMISSION
MINUTES FOR THE REGULAR MEETING, MARCH 27, 2008

Section 2. In the event of dissolution of the HERC, the Executive Board shall, after paying or making provisions for the payment of all liabilities of the Commission, dispose of all remaining assets of the Association in such a manner or to such organization(s) organized and operated exclusively for charitable, educational, religious or scientific purposes as shall at the time qualify as an exempt organization(s) under Section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), as the Executive Board shall determine.

ARTICLE X

AMENDMENTS

Section 1. The by-laws may be amended at any membership meeting by a simple majority vote of the active members present and representing a quorum, provided; the proposed amendment has had prior review by the Executive Board; and a copy thereof has been sent to the last known address of each active member at least ten (10) days before the meeting at which time it is to be presented for a vote.

The following are the letters sent by Chairman Gesullo:

Housatonic River Estuary Commission

Shelton/Derby/Ansonia/Milford/ Orange

To: City of Shelton Recreation Dept.

Re: City of Shelton proposal for a floating Dock to the existing Sunny Side boat ramp

Date: March 14, 2008

In request for our approval in support of the planned City of Shelton construction of a floating Dock (per the outline provided) to the existing Sunny Side City Boat ramp the following is our position in support of your proposed plan. However you should understand that you gave us little time for a full review by the our Entire Commission (as we meet once per month) as Chairman of the Commission I am confident that the position I write here would be in accord with that of the majority HREC membership.

One of our Mission Components as Stuarts of the River is to promote access to the river for recreational purposes especially paddle boaters such as Canoes, Kayaks as well as possible access for handicap persons. The already Existing Sunny side ramp is the only real public access for boat launching on the River in Shelton therefore the addition of the proposed Floating dock, assuming you receive funding and have proper permits and your commitment to adhere to the docks ongoing maintenance as to not deteriorate the Beauty of that boat launch area, we then endorse your effort.

Best Regards

Bob Gesullo
Chairman HREC

HREC Minutes should be considered a draft version until approved at the next regular meeting.
HREC Minutes submitted to the respective town's Town Clerk's office for legal posting requirements.
Tape recording of the meeting is available at Shelton Town Clerk's office.

Housatonic River Estuary Commission

Shelton/Derby/Ansonia/Milford/ Orange

To: Jen Gunther

Re: HVA LID Partnership/ HREC Position letter

Date: March 10, 2008

Jen, as you may know the Housatonic River Estuary Commission (HREC) is an extended government commission that has been established through an act in the Connecticut General Statutes. We are still in the initial phases of standing up the commission, adopting our mission statement, and establishing the necessary political and community processes in order to sponsor the stewardship and possibly perform some regulatory oversight that is sorely needed in the lower Housatonic River estuary.

While the invitation extended by the Housatonic Valley Alliance is flattering, and their Low Impact Development program is a step in the right direction for the lower estuary, the Commission is not really in a position to participate as official partners or sponsors in this initiative. That being said, HREC can operate "unofficially" as a conduit of information to other organizations that might be in a better position to participate and sponsor this effort. For example, the Friends of the Housatonic River (FOTHR) are a grass-roots organization that has been seriously considering an effort of their own to pursue some of the efforts described in the HVA proposal. However we feel it's a bit too early in the organizational life of this Commission to partake in an initiative like this at this time.

We do feel that the HREC can support LID in general, and that HREC can support and participate in some forums and meetings held by the partnership providing it does not compromise our ability to promote or act to deny or modify an activity that may negatively impact the river and is in accord with our mission Mission objectives.

I trust you understand our position in these early stages of our development and program objectives and I have attached a copy draft of our ambitious mission statement as a reference of what we like to archive while understanding our effort is limited only to the extent of time of this all volunteer commission.

Best Regards

Bob Gesullo
Chairman HREC