

# Lake Zoar Authority

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## Member Towns

Monroe-Newtown-Oxford-Southbury

The regular meeting of the Lake Zoar Authority was held on Tuesday, May 3, 2022 at 7:00 pm at the Southbury Town Hall.

### Commissioners Present:

Gary Fillion, Chairman  
Jerry Kozera, Vice Chairman  
Frank Cavallo  
John Downs  
Herbert Garber  
Bill May, Treasurer  
Barbara McWilliams  
Lesley Pires  
Mark Saksa

### Absent:

Scott Chin  
Dick Speer

Gary Fillion Chairman, called the meeting to order at 7:02pm.

### **Secretary's Report:**

A motion to accept the minutes as read from the April 5, 2022 minutes was made by Bill May, seconded by Barbara McWilliams; the motion was passed unanimously.

### **Public Comments:**

Seven residents from Sandy Hook attended the meeting, and two residents from Southbury were in attendance.

Joel Zeisler inquired about the LZA's denial of 6 permits for restricting lake traffic during special events with LOF this summer. Chairman Gary Fillion reported that federal law states a public waterway cannot be shut down, so the proposal to place buoys to restrict the proposed area was denied. Joel responded that DEEP requested the buoys, and this year's course was shortened to prevent activity near homes. He stated that LOF is interested in promoting safety. Gary further explained that the proposal initially shut off water access and that cannot be allowed, and LOF needs to resolve how to control passing traffic. Joel offered to redirect passage but not entirely block it on the new proposal. Joel commented he has not heard any complaints about last year's restrictive buoys. Gary explained that the wording was that the buoys were going across the entire waterway near the south end of the course, and traffic still needs to be allowed to pass. Joel expressed that concessions need to be made for safety's sake with the disabled community participating in the event, and that is why he has requested a permit. Marine Patrol Coordinator Dan Semoksy suggested that the buoys could be placed up by the damn. Joel explained that a patrol boat will ask traffic to stay to the side, and not actually block traffic. Joel reiterated that the purpose of the permit is to prevent personal watercrafts from driving near the handicapped participants for safety's sake. A discussion was had if it is legal to restrict traffic in any manner. Gary responded that he has interpreted the law that if traffic can still pass, there is not a restriction.

Greg Franzino of Sandy Hook expressed there have been safety issues in the past near the Slalom course involving these special events. He stated that the LOF skiers turn around in the middle of the Slalom course, so they must yield and stop operations to let LOF skiers pass, and they do not understand why that happens. Joel responded that this

current permit is going to keep the LOF course above the Slalom course. Greg requested Joel to instruct the other drivers to stay away from the Slalom course. Joel agreed to instruct the drivers to stay away from the Slalom course. Joel reminded the public in attendance that this permit issue is not about zoning, but about water activity, and the LZA is not a zoning platform, so the town is responsible for zoning issues, not the LZA. Chairman Gary Fillion confirmed that the LZA does not hear zoning issues.

The LZA requested that Joel finance the patrol boat activities for the special events. Joel said he is already making concessions, in operating out of a narrower section from 9am to 3pm, and he is prepared to walk away without permits to divert traffic. Joel expressed that disabled people work during the week as well, and they are only asking to use 4% of the lake. Gary responded that the 4% is a prime area of the lake during weekends. Gary requested Joel to resubmit the permit application so it will allow traffic through the course area. Joel said he will resubmit the application from his residence at 90 Housatonic Drive up through the Shepaug Dam, and the buoys will not be marked to disallow public transportation.

A Southbury resident, Andrew Martin, reported that a major storm last year flooded the Pomperaug river, driving debris into the lake, and it's now washed out on three different sites. He reports there is an issue with the waterway being accessible, it is too shallow and narrow, and it needs to be dredged. Gary confirmed he has seen the damage and that it needs to be fixed, but the area is not considered a navigable channel under LZA authority, so the first step is to contact CT DEEP, to learn how to obtain a permit for dredging, and the second step is to find out FirstLight's responsibility to perform the work, as they are the responsible caretakers.

#### **Correspondence and News Clippings:**

None.

#### **Treasurer's Report:**

Bill May, Treasurer, presented account balances, with cash on hand equaling \$117,411.34. Considering the requests to the four towns for allocation of budget funds, total funds are \$224,533. A FirstLight contribution of \$10,000 is also expected. The annual budget submitted was \$117,132, so the budget is in good standing. There are no outstanding invoices.

There is an outstanding responsibility to value the boat's equipment, and it will be done when the boats are uncovered.

The finance director of Newtown inquired to see if we have any unbudgeted capital expenses coming up, and the treasurer explained that only emergent replacement of the boats was not considered.

Bill explained that there are funds available to provide the two patrol drivers with a 10% pay raise.

Flash Signs was asked to make a new designed decal for the patrol boats, reading, "Lake Zoar Patrol" which will be easily recognizable to the public as an enforcement boat. The estimate was for \$1,800. The work can be done on site, at the marina where the boats are currently located. A second quote was received from Sign Orama in Danbury, with an estimate for \$1,790, plus a \$250 artwork fee, with the work to be completed at their business location. A discussion was had about the designs and vendors, and commissioners agreed upon the following provisions: The number for the patrol boat will be moved up to the hull; the number "16" will be moved right next to the word "channel," so it will read "channel 16," without a line break; the American flag will be smaller; Commissioners / Marine Patrol will be present during application; the LA requires a firm install date.

A motion to accept the treasurer's report was made by Jerry Kozera, seconded by Barbara McWilliams; the motion was passed unanimously.

A motion to accept the 10% pay raise for the two drivers was made by John Downs, seconded by Frank Cavallo; the motion was passed unanimously.

A motion to accept a quote from a vendor for design and application of the new decals, not to exceed a maximum of

\$2,000, and to include the discussed provisions, was made by Jerry Kozera, seconded by John Downs, the motion was passed unanimously.

### **Marine Patrol Report:**

Dan Semosky reported that the boats have been moved to the marina. There are some damages to the boat including stress cracks. Commissioner Dick Speer confirmed the damage needed to be patched and that the work can be completed at the Marina, and it will not interfere with the planned cleaning or deployment of the boats.

The holiday patrol schedule for the upcoming Memorial Day weekend has been provided to all four towns for proper officer scheduling. Monroe, Oxford, and Newtown will be participating. The town of Monroe recently provided a boating safety course for their officers and they now have ten more officers available to patrol.

The life jackets received from the recently awarded Sea-Tow Foundation grant will be marked with "PO LZA," with contact information. Boaters who have borrowed a life jacket will be instructed to return it to the marine patrol boat by the end of the day.

A boating regulation enforced in CT mandates sound producing devices on all watercraft, stating, "for vessels up to 40 feet in length, a handheld whistle, air horn or similar sound producing devices that is audible for ½ mile, may be used. Vessels greater than 40 feet must have a power-operated sound producing device that is audible for one mile and a bell."

Chairman Gary Fillion requested that Marine Patrol be more strict this season with ticketing boaters and passengers who do not wear life vests, and also those who do not have the newly required Sound Producing Devices on board.

Discussion was had regarding sightings of infants and young children riding with a parent on a jet ski. Patrol drivers clarified that if there is only an unfit child and an adult observed on a personal watercraft, the child and adult will have to board the patrol boat, and if there is no other driver available to operate their watercraft, it will be towed. Current CT DEEP regulations regarding youth on personal watercrafts states, "no passenger shall ride upon a personal watercraft unless the passenger is able to securely hold onto the person in front of them or to the handholds on the personal watercraft, and is able to keep both feet on the deck of the personal watercraft so as to maintain balance while the personal watercraft is in operation. No persons may be in front of the operator of a PWC. All persons aboard a personal watercraft shall wear a life jacket approved for that purpose by the United States Coast Guard, and no operator of a personal watercraft shall allow any person to be aboard who is not wearing such a device. Inflatable life jackets are not approved for PWCs."

### **Publicity/ Public Awareness:**

Lesley Pires reported the website is up to date and functioning. A link to FirstLight's new shoreline management plan will be added per public request.

### **Water Quality / Grants Report:**

Chairman Gary Fillion reported that Middlesex corporation will close the channel from May 1 - May 15, 2022, to complete construction on the Rochambeau bridge, to remove the concrete bridge deck with a flex boat. The channel will be reopened upon completion.

The annual weed treatment estimate for this season was received at \$26,655 from Lake Solitude. Treatment application is tentative for the third week of June, weather permitting, for 80 acres.

The estimate for the 2022 annual weed treatment survey estimate was received at \$10,230 from Northeast Aquatic Research. If there is not a second treatment this year, a cost savings of approximately \$3,000 is expected. Additional quotes from other vendors will be accepted.

A displaced, impermeable tree is stuck on the bottom of the lake and sticking out of the water, just above the Oxford park. A second impermeable tree is also stuck about 100 yards south of the entrance of Kettletown. Both present a

dangerous risks to boaters. FirstLight will be notified for removal purposes.

**Boats and Motors Report:**

Dan Semoksy, Marine Patrol Coordinator, reported that the boats will be cleaned on 5/4/22 and the old decals will be removed. Commissioner Bill May reported he received photos of some damage found on the boat, and he can confirm it is not impact damage, it is from either normal wear or tear or trailer transport. The repairs can be done at the marina and are authorized. The boats are expected to be operational this season.

A motion to accept the repair fees of \$1,300 for detailing, cleaning, and removal of old decals from the patrol boats was made by Lesley Pires, seconded by Mark Saksa; the motion was passed unanimously.

A motion to accept the repair fees \$913.40 for keel repair and replacement of both boats was made by Bill May, seconded by Barbara McWilliams; the motion was passed unanimously.

**Grants:**

Commissioner Barbara McWilliams reported that The Sea-Tow Foundation, who recently awarded the LZA with 42 life vests, requested the LZA make an SOP for boaters returning the borrowed life jackets from the program. They requested we put a stand out in a stationary spot for the life jackets. Barbara explained that the program remains focused on teaching opportunities for people who do not have a life jacket, and is not associated with law enforcement.

**Unfinished Business:**

None.

**New Business**

None.

**Adjournment**

A motion to adjourn was made by Treasurer Bill May and seconded by Commissioner Frank Cavallo. The motion passed unanimously. The meeting adjourned at 8:54 pm.

Respectfully Submitted,

Lesley Pires  
Secretary

The minutes are not considered official until approved at the next regular meeting of the Lake Zoar Authority to be held on Tuesday, June 7, 2022 at 7:00 pm at the Monroe Town Hall.