

## Commission asks aldermen to reconsider life-vest plan

Written by KRISTYN HALBIG ZIEHM  
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### Officials voice concern about liability city may face if it installs waterfront kiosk

Port Washington officials may be asked to reconsider their support for a loaner life vest program at the marina.

The Harbor Commission on Monday expressed concerns about the liability and responsibility the city may be undertaking with the program, which was approved by aldermen last month.

The life vests would be in a kiosk being built by Boy Scout Josh Schaefer as his Eagle project. The kiosk would be installed next to marina control building, where the vests would be easily accessible to boaters.

The purpose of the program is to provide vests for boaters who don't have enough of the safety devices for all their passengers, officials said.

Funding for the project will come through the Department of Natural Resources, and the DNR will also provide 32 life jackets for the station, Schaefer told the Common Council last month.

The life vest program started in Alaska in 1996, Schaefer said, and since then more than 2,100 life vest loaner stations have been installed throughout the U.S.

Although there have been concerns that people would take the vests and not return them, that hasn't typically happened, officials said.

Instead, the number of vests available tends to grow as people donate the ones their children have outgrown, they said.

But commission members noted that the marina staff will be expected to maintain the kiosk and vests, checking them to make sure they are in order.

"Who's going to be responsible for checking the straps?" commission member Tony Matera asked. "I'm not against this program. I just want to minimize the city's liability. Now that you've got them, you have a duty to maintain them.

"I'd feel better if we had a better idea of our duties. I think the question is how we implement it. Is it going to add another 10 hours of work for the staff each week?"

Commission member Jerry Baganz said the panel supports the idea of the program.

"I think this is something we think is a good idea, but we don't fully understand the responsibility we're taking on," he said.

Commission members questioned what would happen if the marina staff came in one

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morning and all the vests were missing.

“We call the DNR and have them get us more vests,” Harbormaster Dennis Cherny said.

Cherny agreed that the contract with the DNR should be reviewed by the city attorney to check on liability questions and the city’s responsibilities.

However, he said, the program is valuable and workable for the marina.

“I don’t see it as a big problem,” he said. “Certainly we can do it. I think we should do it.”

The marina staff will also be tasked with checking the availability of life rings and ladders on the breakwater when they are installed, Cherny said. This task can be conducted largely by sight, he said, with staff using binoculars to make sure the rings are on their stands and the ladders are intact.

Matera suggested that instead of the kiosk the marina could buy a couple life vests to loan to boaters in need and store them inside the marina office, eliminating much of the possibility of vandalism and damage to the equipment.

Ald. Dave Larson, a commission member, said that when the Common Council approved the program, he thought the DNR would carry the bulk of the responsibility for maintaining the vests, not the marina.

He said he will mention the commission’s concerns to other aldermen and may bring the matter back to the Common Council for reconsideration at its July 16 meeting.

Cherny said he will check with other marinas that have implemented the program to see what the community’s responsibility actually is and how onerous it is.