

March 8, 2016

**Old Colony Beach Club Association Board of Governors Meeting
Jerry Brocki's Office, 10 Pine St., Plainville, CT**

The meeting was called to order at 6:39 PM by Board Clerk Rich Kingston in Doug Whalen's physical absence. Rich stated that a quorum was present and that there was one member of the public in attendance. Rich notified the Board that since the new By-Laws were adopted at the September 2015 General Membership meeting Doug, or any other Board member, may now attend the meetings remotely and have full voting privileges.

ATTENDANCE: Members present- Janet Montano, Steve Humes, Jerry Brocki, Gavin Cartiera, Doug Whalen (by Skype) and Rich Kingston.

Approval of 1/5/2016 Board of Governor Meeting Minutes: A motion was made (Humes/Montano) to accept the minutes from the January 5, 2016 Board of Governors meeting. There were no changes. The motion to accept the minutes passed unanimously.

Treasurers Report (Janet Montano): Janet presented the Treasurer Summary through February 29 (Attachment 1). A motion (Humes/Cartiera) was made to accept the Treasurer Summary as presented. The motion to accept the report passed unanimously.

Action Items Update: The Board reviewed and updated the listing of Action Items for January 2015. Rich reported that Item #35 about conducting a review of the Board's Special Events policy remains open. Gavin will research and suggest changes to include Certificate of Insurance limits which the Board should include in any revised policy. Item #37 about developing a Records Retention Policy also remains unaddressed and Rich will conduct research about this issue and report back to the Board by June. Doug sent a copy of a draft letter to the Board today for its review to address the concerns contained within Item #38. As concerns Item #39, Rich still needs to check with a local vendor for summer golf cart rental. Doug is working on Item #40 as one of the two concerned property owners has asked to meet in May to address this issue. The Board agreed to extend its deadline for the sale of this property from May 1 to May 15. If the adjacent homeowners do not wish to purchase the property the Board will then discuss alternate options for the use of this property so that these options can be presented for member consideration at the June 25th General Membership meeting. Doug will relay the new deadline to both property owners.

Committee Reports:

Chairman's Report (Doug Whalen): Doug reported that all the issues he wishes to address are specific agenda items later in the meeting.

Clerk's Report (Rich Kingston): Rich reported that he will arrange for the rental of the Shoreline Community Center for the General Membership Meeting on Saturday, June 25th.

Tax Collector (Steve Humes): Steve reported there has been no activity over the last month and that there are still two tax bills for FY2016 that have not yet been paid. Janet reported that all interest payments that had been due have been paid. The only outstanding items are fines. Rich will contact Don DuBaldo, the previous Tax Collector, to get whatever Board materials he is still holding.

Recreation (Gavin Cartiera): Gavin informed the Board that he has some new ideas for this summer's activities. Activities such as organized games for kids on the beach, a talent show, a tie-die affair, a beach-wide tag sale, and block parties will be considered. Gavin realizes that the ability to recruit volunteers to run these events is very important. Doug is very interested in a beach-wide tag sale and suggested the first Saturday in June. The Association could provide advertising for such an event. Doug also suggested that a beach Olympics might be a good replacement for one of the two regularly held Sand Castle contests. The Board agreed to schedule the annual Association dinner on the beach for Saturday, July 16th. Gavin will explore different caterers for this event, e.g. Chester's Ribs, Bears Smokehouse, etc.

Public Safety (Jerry Brocki): Jerry asked for comments from the Board for the summer security schedule he had recently e-mailed to Board members. Rich asked that a third guard be scheduled for the last weekend of June, the 25th and 26th to provide relief coverage so that the beach post does not have to be abandoned for lunch and breaks. The Board agreed to this request. Jerry will contact Securitas to finalize this summer's security guard contract. Doug would like to arrange a meeting between the Association and the Old Lyme Police. Rich will find out whether the Federation of Old Lyme Beaches plans to schedule a meeting for all beach associations to meet with the local police. Jerry informed the group that the pedestrian gates to Sound View Beach will be locked starting Memorial Day weekend. The Board discussed the need to close the street gates during the week when there is no guard presence. Jerry explained that the video monitoring that is done at the main entry necessitates keeping the gates closed as much as possible.

Public Works (absent position): Rich informed the Board that he has been temporarily handling public works issues since Don DuBaldo's resignation and until a new Board member can be appointed to this position. Rich informed the Board that we will be soon starting year two of a three year contract with H.S. Plaut Environmental Services for summer beach cleaning so there will not be a need to negotiate a contract for this service this year or next. Rich asked the membership about extending the landscaping contract with Nickerson Landscaping and Lawn Care for this summer if the same price for services can be agreed upon. Janet pointed out that since the federal government now has easement rights over the Sheffield Brook property there are some provisions of last's year contract that are not still applicable. There is some question about whether item #5 for bi-weekly mowing and cleaning along Gorton Avenue from Maple

Street to the empty lot on the corner of Broughel and Gorton impinges on the easement property. Doug will speak to the NRCS representative about whether this area is within the easement boundaries. Steve noted that the two items in last year's contract specific to clearing around the two plunge pulls needs to be removed from this year's agreement. Doug will ask the NRCS representative if we can continue to maintain areas which are now part of the easement until work begins. Once Doug gets this information Rich will contact Nickerson to finalize the summer landscaping contract. Doug informed the Board that Harry Plaut is asking for upgrades and replacements for the ropes, buoys, and anchors used for the swim lines installed for the summer beach season (Attachment 2). It was agreed that any purchases made should be done on behalf of the Association in order to utilize our sales tax exempt status. Doug estimates that the price for these purchases would be \$3,480. Doug will ask Harry if he is willing to continue the swim buoy contract for this summer at last year's amount of \$2,000. Doug will talk to Harry about a final cost for the necessary items with any related costs to determine the final cost for this one time purchase. Doug will share this final cost with the Board to get the general consensus about making this purchase before the next Board meeting.

Acceptance of Board Member Don DuBaldo's Resignation: On January 26th Don DuBaldo sent an e-mail to Doug expressing his intention to resign from the Old Colony Beach Club Board of Governors. A motion (Humes/Cartera) was made to accept Don DuBaldo's resignation from the Old Colony Beach Club Association Board of Governors. Janet expressed her regret that Don has decided to resign since he has been such a productive member of the Board. Rich stated that since Don joined the Board in 2010 he has served as Treasurer and Tax Collector and has been a very valuable member of the Board. On behalf of the Board Rich expressed our collective thanks for Don's years of service. The motion passed unanimously.

Ratify Newly Adopted Ordinances: Rich informed the Board that Doug has had discussions with the Associations lawyer Jack Bradley who informed him that the By-Laws as passed at the September 12th General Membership meeting are in full force and effect. Rich also reminded the Board that the existing Charter takes precedence when there is a conflict in language between the new By-Laws and the existing Charter as amended in 1949. The new Charter, when finally approved, will be in agreement with the new By-Laws. Doug commented that Board meetings can now be held virtually through the use of Skype. Go-To- Meeting software, or other electronic conference methods. The attorney has advised us that once the Board ratifies the Ordinances and the Ordinances have been posted on an Association sign-post for at least seven days they become effective. A motion (Whalen/Brocki) was made to ratify all of the revised Ordinances that were adopted at the September 2015 General Membership meeting. Discussion followed about the best way to make the new By-Laws and Ordinances available to the membership. The motion was unanimously approved. Rich will post the By-Laws and Ordinances on the Old Colony Road bulletin board.

Purtill Avenue Stub Sale Update: This topic was discussed in the Action Items Update portion of the meeting earlier.

WPCA Report: Steve, as a member of and the Board's liaison to the WPCA, reported that he attended a meeting with Frank Noe, WPCA chair, and the other two beach associations (Old Lyme Shores and Miami Beach), the DEEP, and representatives from attorneys Robinson & Cole to discuss the terms of the Inter Municipal Agreement (IMA) between the three beach associations. Steve believes that this Board needs to develop a method to remove the Old Colony Beach Club Association designee from the IMA governing board should that action become necessary. Doug complimented Steve on the work he has done so far with the OCBCA WPCA. Steve reported that there is also discussion regarding whether this governing board would need to make unanimous decisions or if they would require only a majority to make decisions. Doug would like to see some type of arbitration device implemented if unanimous decision making is the chosen method for this board. Doug has received a very positive response from the town of Old Lyme's WPCA Chairman to the letter that he sent expressing the Association's concerns about any possible delays that might result from the town's future plans regarding sewers (Attachment 3).

Status of Charter, By-Laws & Ordinance Revisions: Doug reported that our attorney advised him that our new Charter could be adopted under the "home rule act." Whether we ask the Connecticut State Legislature to approve the newly revised Charter or decide to use the provisions of the "home rule act" the newly revised Charter would not become effective for at least a year from now.

E-Mail, Website, & Digital Storage Status and Suggested Website Changes: Rich asked guest Joe Frutuoso, our website manager, if he wanted to comment on this agenda item. Joe has confronted a number of difficulties in dealing with GoDaddy, our website vendor. Joe has removed language from our web cover page that was discussed at our January meeting.

FY2017 Budget: The Board reviewed the draft 2017 Budget that Doug had sent to Board members (Attachment 4). The consensus of the Board is to maintain the current mil rate of 3.25. Doug would like to finalize this budget at the April Board meeting. Janet suggested adding another \$200 to the Electricity expense line for a new total of \$5,300. She also stated that we should increase the Hydrants line by \$500 to \$9,000. Janet also suggested that we need an additional \$2,500 in General Administration to make a new total of \$6,000. A new computer needs to be purchased to replace the one purchased in 2010. To offset these increases Public Works will be reduced \$1,000 to \$38,000. Merchandise will also be reduced by \$200 to \$1,800. Rich suggested reducing Public Safety by \$2,000 for a new total of \$27,000. Doug suggested adding \$1,000 to Recreation and reducing Professional Fees by the same amount for new totals of \$8,000 and \$9,000 respectively. Janet would like to see the WPCA place some of its funds in an interest bearing account. The Sheffield Brook number for Capital/Improvements/Expenditures

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for the Actual 2016 column should be changed from \$10,000 to \$11,516 to reflect what has been expended to date.

Future Meeting Schedule: Rich remarked that the established Board meeting dates for the first Tuesday of each month have not been working as hoped. The Board agreed to change the April meeting from Tuesday, April 5th to Wednesday, April 27th. The May meeting will be changed from Tuesday, May 3rd to Wednesday, May 25th and the June meeting will be changed from Tuesday, June 7th to Wednesday, June 8th. The April meeting will be held at Jerry's office in Plainville. The May and June meeting locations will be determined at the April Board meeting.

Other Old Business: Janet noted that the Association paid \$50 to relocate the one boat and four kayaks that were left along the Old Lyme Shores fence to Harry Plaut's storage yard. Rich stated that he would post a paper sign on the Old Lyme Shores fence to let people know who to call to reclaim their kayaks. When reclaiming their vessel the person needs to pay the Association \$10 for each to reimburse the Association for its costs.

New Business: Jerry advised the Board that the Pelletier family is requesting to use the beach on October 15 for a family event. Jerry will advise the requesting party that the request to use the beach must be submitted by an owner.

Public Comment: Joe Frutuoso was the only member of the public present. Joe would like to see more musical events scheduled during the summer. He also suggested holding a musical talent show. Joe would also like to see Old Colony Beach have its own July 4th parade after the Sound View parade on that day, which could be held Monday, July 5th.

NEXT MEETING - The next Board of Governor's meeting is scheduled for Wednesday, April 27th at 6:30 PM. The meeting will held at Jerry Brocki's office at 10 Pine Street, Plainville.

A motion (Brocki/Humes) was made to adjourn at 9:05 PM. The motion passed.

Respectfully submitted

Richard Kingston
OCBCA Clerk
March 19, 2016

Approved at April 27, 2016 Board of Governors Meeting

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Results of Voting at the March 8, 2016 Old Colony Beach Club Association Board of Governors Meeting. Board of Governor Members present- Janet Montano, Steve Humes, Jerry Brocki, Gavin Cartiera, Doug Whalen, and Rich Kingston.

Acceptance of Board Member Don DuBaldo's Resignation: A motion (Humes/Cartiera) was made to accept Don DuBaldo's resignation from the Old Colony Beach Club Association Board of Governors. The motion passed unanimously.

Ratify Newly Adopted Ordinances: A motion (Whalen/Brocki) was made to ratify all of the revised Ordinances that were adopted at the September 2015 General Membership meeting. The motion was unanimously approved.

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ATTACHMENT 1

February 29, 2016 OCBCA Board Meeting

Treasurer's Summary

Balance July 1, 2015: \$151,198.21

Income: \$166,071.20

Expenses: \$86,211.33

Balance February 29, 2016: \$231,058.11

General Fund Checking	\$ 26,672.11
General Fund MM Savings	\$142,470.00
Capital Fund MM Savings	\$ <u>61,816.00</u>
Balance 2/29/15	\$231,058.11

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ATTACHMENT 2

RE: OCB Swim Buoy Contract 2016

Thursday, February 25

To: All Board Members

We need to discuss the swim buoy, Anchors & rope replacement program at next week's Board meeting, Harry provided us with an overview of our needs (see below) and Janet provided me with a review of the past purchase history.

The last mushrooms & ropes were purchased in 2009 and the last swim buoys were purchased in 2010. Harry will be able to give us a credit (around \$35.00 for each replacement mushroom) and feels that we should get at least 5-7 years out of the new rope & buoys. Janet suggested, and I agree, we need to find a way to mark our equipment if we want to keep it stored at HS Plaut Environmental over the winter.

I spoke to our Attorney and asked to have a ruling regarding our bylaws and Janet's suggestion that we DO NOT have to publish the changes in a newspaper. Jack will get back to me before next Tuesday.

I hope to have more information related to the Charter approval by the legislators by our next Board meeting.

From: Harry Plaut [mailto:hsplautenvironmentalcompany@yahoo.com]

Sent: Thursday, February 25, 2016 10:36 AM

To: Doug Whalen

Subject: Re: OCB Swim Buoy Contract 2016

Doug,

We have checked OCBCA's swim buoys (Large White Buoy) and four of them need to be replaced at a cost of \$235.00 each.

To remove all of the swim floats from the existing line and to assemble existing swim floats onto new swim lines, the labor cost is \$90.00.

In my previous email, I meant to say the mushroom anchor upgrade should be 200lb anchors, the cost for these anchors is \$250.00 each.

The transfer of chains and shackles to the new swim buoys would be determined at the time of installation.

The cost for 1/2 inch yellow poly line is .45 cents per foot.

OCBCA has a total of 1550 actual lineal feet with a buffer of 150 feet for a total of 1700 feet, the total cost for poly line would be \$765.00.

Harry

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From: Doug Whalen <douglaswhalen@comcast.net>
To: 'Harry Plaut' <hsplautenvironmentalcompany@yahoo.com>
Sent: Wednesday, February 24, 2016 8:27 AM
Subject: RE: OCB Swim Buoy Contract 2016

Do you have an approximate cost so I can bring it up at next Tuesday's Board meeting? Swim Buoy? Is that the large white buoy?

From: Harry Plaut [<mailto:hsplautenvironmentalcompany@yahoo.com>]
Sent: Monday, February 22, 2016 1:36 PM
To: Douglas Whalen
Subject: OCB Swim Buoy Contract 2016

Doug,

In order to quote a new swim buoy contract for the Old Colony Beach Association, I will need to know if you would like to upgrade the swim line diameter, i.e., increase the thickness of the rope, and to increase the mushroom anchors from 100lb to 150* lbs. to eliminate drag from the heavy seas.

Also, some of the swim buoys need to be replaced before the start of the season.

The swim floats are intact and in good condition, they will just need to be painted.

Please let me know soon, the swim buoys will take a while to order.

Thanks,

Harry

*subsequent information indicates that this figure should be 200 lbs., not 150 lbs. as initially appears in this e-mail.

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ATTACHMENT 3

From: Reprendergast [mailto:reprendergast@cox.net]
Sent: Monday, March 07, 2016 5:59 PM
To: Douglas Whalen
Cc: jsieviec@oldlyme-ct.gov; Scott J. Boulanger; Frank Noe
Subject: Re: Old Colony Beach letter to old lyme WPCA

Hi Doug

Just confirming I got your email. I think it might be appropriate for the Town wpcA to meet with the beach associations wpcA to coordinate efforts.

Also is someone telling your wpcA that the town's wpcA is trying to stop your progress? I know I am not trying to stop your progress.

There are many areas that we should work together on. Our issue is figuring out what we can and want to do, which has to be figured out prior to any commitments.

Thanks,

Rich Prendergast

On Mar 7, 2016, at 8:26 AM, Douglas Whalen <douglaswhalen@comcast.net> wrote:

Please submit the following letter to all WPCA members and I ask that it be read at the next Town of Old Lyme WPCA meeting. Old Colony Beach is asking the Town to support our program to clean-up Long Island Sound and the beach communities. The support I am requesting is in the form of allowing us to move forward with our project that we have been working on over the past 6-years.

Thank you for your anticipated support in this matter,

Douglas Whalen

Chairman OCBCA

From: DOug Whalen
Sent: Sunday, March 6, 2016 1:49 PM
To: DOug Whalen, gcartiera@hotmail.com, Janet Montano, Jerry Brocki, 'Richard Kingston', humeslaw1@comcast.net
Cc: Frank Noe

Because the Town WPCA meeting is before our scheduled meeting I would like to offer a final version of the letter I will send to the Town WPCA. I took suggestions from everyone and revised the letter to fix some grammatical errors and add some language that was suggested. Let me know if this final version looks good

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To Old Lyme WPCA Commission:

Back in 2008 Old Colony Beach (OCBCA) worked in conjunction with the Town of Old Lyme Health Official, Ron Rose, to identify troubled septic systems in the area. Ron Rose explained that he was aware of many systems that were not performing properly due to the existing size of our properties and wanted to try and fix (as he put it) a serious problem. The Town of Old Lyme Health Official explained that he would not be able to approve a new septic system that would comply with all of the State of CT Health Department guidelines but stated he could approve an alternative system even though they would not be within the State regulations. In 2010 OCBCA Board of Governors was informed to have “NO SWIMMING” signs ready for the summer season in case the Health Department received high readings from the test wells located throughout the Old Colony Beach complex; in fact, we were provided signs by the Town of Old Lyme Health Department. After that notification, OCBCA received many close calls in the way of phone calls from the Health Department notifying us of possible beach closings after various rain storms. At that time the OCBCA Board of Governors made the decision to have our ground water reviewed by a professional firm to find out what was really happening to our ground water and environment. The results were clear that the septic systems in OCBCA were contaminating the ground water and the problem would only get worse over the years. OCBCA residents made it clear that they wanted to clean-up our beach community and stop the pollution that was being sent into Long Island Sound. The OCBCA community committed to fund a sewer project that would make our community a better and safer place to live. OCBCA adopted our own Water Pollution Control Authority (WPCA) and directed that authority to follow-up on the clean-up efforts our residents demanded.

As Chairman of Old Colony Beach, I am asking the Town of Old Lyme WPCA to do the right thing and support our program which has been in the works for over 7-years. We are not asking Old Lyme for financial support or a free handout but we would like you to support our program which upon completion, will clean-up our community and Long Island Sound. OCBCA, Old Lyme Shores and Miami Beach have formed a regional WPCA and are under orders from the State of CT DEEP to provide the design & installation of a central sewer system that will discharge to the New London sewer treatment plant. OCBCA & Old Lyme Shores consent orders require us to have our system completed in 2016 and our team of professional are ready to move this project forward.

The sewer project that Point of Woods completed over 5-years ago improved the quality of life for the residents of Point of Woods and improved the environment. Our project is similar to the Point of Woods project and will have the same positive effects on the environment within our community.

Please allow us the opportunity to do the right thing for our community and our children.

Douglas Whalen

Chairman, OCBCA

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ATTACHMENT 4

**Old Colony Beach Club Association Proposed Budget
Fiscal Year 2016 and Actual 2015 Expenditures to Date**

	Actual FY 2014	Actual FY 2015	Budget FY 2016	Actual FY2016 12/31/2015	Proposed FY 2017
<u>Revenues</u>					
Property Taxes + interest	140,040.07	139,370.80	141,500.00	141,160.49	141,500.00
Town of Old Lyme	13,500.00	13,500.00	9,100.00	4,550.00	9,100.00
Vendor Fees	500.00	500.00	500.00		500.00
Reimbursement for Liens & Lien Releases					
Registrations	900.00	450.00	100.00	250.00	100.00
Reimbursement for Bank Charge		51.95			
Gate Swipe Cards	360.00	280.00		285.00	
Fines	45.00	400.00		40.00	
Sign damage payment		88.00			
Interest Income General Fund	87.56	161.11	50.00	82.07	50.00
Interest Income Capital Account	55.91	73.18	50.00	48.50	50.00
Easement Funds				8,250.00	
Recreation	1,811.00	2,670.00	1,500.00	2,600.00	1,500.00
Raffle	1,472.00	2,417.50	1,500.00	2,744.00	1,500.00
Merchandise	1,336.25	625.00	800.00	1,460.50	400.00
Total Revenues	160,107.79	160,587.54	155,100.00	161,470.56	154,700.00

Expenditures General Fund

Public Safety	24,387.23	23,853.87	29,000.00	19,629.46	29,000.00
Public Works	34,643.73	40,851.17	39,000.00	18,276.17	39,000.00
Insurance	4,870.00	5,154.00	8,100.00	5,241.00	8,500.00
General Administration	4,190.05	3,802.27	5,100.00	4,330.24	3,500.00
Electricity	4,507.35	5,027.98	5,100.00	2,496.85	5,100.00
Fire Protection (Hydrants)	8,187.89	8,777.76	9,000.00	4,504.72	8,500.00
Recreation	7,466.72	6,132.84	7,000.00	7,876.16	7,000.00
Raffle	684.74	700.77	600.00	100.00	600.00
Merchandise		1,333.00	1,200.00	1,219.50	2,000.00
Professional Fees	15,675.00	7,830.00	14,500.00	4,988.60	10,000.00
Donations					
Reconciliation Discrepancy	0.40				
Property Taxes	1,278.06	1,329.42	1,500.00	929.56	1,500.00
Subtotal	105,891.17	104,793.08	120,100.00	69,592.26	114,700.00
Contingency Fund Capital Account	17,000.00	20,000.00	13,000.00		18,000.00
General Funds Transfer to Capital Account					

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General Fund Expenditures after \$ transfer	122,891.17	124,793.08	133,100.00		132,700.00
<u>Capital Improvements/Expenditures</u>					
WPCA	3,095.34	41,904.66	22,000.00		22,000.00
Bond (Roads & Brook Fencing)					
Waste Water Study					
Signage Project					
Survey					
Sheffield Brook		3,400.00		10,000.00	
Beach Restoration					
<u>Subtotal</u>	3,095.34	45,304.66	22,000.00	10,000.00	22,000.00
Total	108,986.51	150,097.74	155,100.00	79,592.26	154,700.00
Mill Rate	2.5	2.5	3.25	3.25	3.25
Profit/Loss	\$51,121.28	\$10,489.80			