

OLD COLONY BEACH CLUB ASSOCIATION
SEMI-ANNUAL MEETING
SATURDAY, JUNE 28, 2014
SHORELINE COMMUNITY CENTER, 39 HARTFORD AVE., OLD LYME

The meeting was called to order at 6:32 p.m. Doug Whalen, Chairman, announced that we have a quorum and asked for a moment of silence for Association members and any of their family members who may have passed away since last summer.

Sheffield Brook Improvements Project Presentation: Doug Whalen introduced Phil Forzley from Fuss & O'Neill who did a presentation on the proposed project to alter Sheffield Brook with United States Department of Agriculture (USDA) funding to address flooding issues. Dean Audette the scheduled speaker from Fuss & O'Neill was unable to attend this meeting as planned. Mr. Forzley described both the planned changes to Sheffield Brook that would be paid for by a USDA grant and the plan to replace the cement conduit from Hartung Avenue to the ocean with a larger pipe which would be paid for jointly by both Old Lyme Shores and Old Colony Beach. Mr. Forzley explained that flood control is the major reason for this project, addressed by creating a new channel for the brook and by creating a storage area for excess water. Doubling the size of the current conduit and developing a means to prevent the backflow of ocean water into the brook are the major components of the privately funded portion of this project. Doug explained that Old Lyme Shores had dedicated \$50,000 to this portion of the project. The Association will be voting tonight to allocate a similar amount of money to this purpose. The USDA will be purchasing an easement from the Association for the portion of Sheffield Brook that their project addresses. Doug explained that proceeds from this sale can be placed toward the costs related to the conduit portion of the total project. Both Doug and Phil Forzley took questions from the membership related to this project. Members had questions related to the limits of funding and the improvements to be made. Doug stated that all of the anticipated work related to this project is confined to Association owned property. Doug informed the membership that two votes related to this project would be taken later in the meeting. Doug read the application for the conservation easement that would be placed on Sheffield Brook if the membership votes to approve this project. This easement will only protect the stream improvements and will not enable public access to this area. Doug stated that Old Lyme Shores is very interested in the success of this project and as a result has agreed to partner with Old Colony Beach to address the conduit portion of the project.

Approval of Semi-Annual Meeting Minutes: A motion (Carl Lombard/ Charles Deranleau) was made to accept the September 7, 2013 meeting minutes. The motion passed and the minutes were accepted.

Board of Director's report:

Chairman's Report: Doug opened his report by stating that he is very pleased with the way the beach pass program is working. Doug reminded the membership that there are restrictions regarding proper golf cart operation such as the need for proper lighting, operation by licensed drivers only, etc. The golf cart registration program is also working well

Treasurer's Report: Don announced that he is very pleased to have Janet Montano back on the Board of Governors and serving as the Association's Treasurer. Janet announced that in addition to the report included in the packet mailed out prior to this meeting she has prepared an up to date report for this meeting (see Attachment 1). Janet reviewed this report with the membership. A motion

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(Seymour Tucker/Joel Zimmerman) was made to accept the Treasurer's Report. Lenny Gregorian asked if the balance in the Capital Account was sufficient to cover the \$50,000 proposed for the Sheffield Brook Project. Janet confirmed that if the FY2015 Budget is approved at this meeting that the Capital Account balance would become \$68, 439.25 and enough to cover the conduit portion of the brook project. The motion passed unanimously.

Clerk's Report: Rich Kingston had nothing to report. Doug asked the membership if they preferred the Shoreline Community Center or the Old Lyme Middle School Auditorium for future membership meetings. The consensus was that the Shoreline Community Center was preferable.

Tax Collector: Don DuBaldo reported that 100% of the taxes have been collected except for \$102.50 remaining from one Association member. Don noted that the Association does have \$521.27 in accounts receivables that he is working on collecting. Don read the new policy and procedures for the Tax Collector that was approved by the Board of Governors (Attachment 2).

Director of Public Works Report: In John Melonopoulos' absence Doug Whalen presented the "OCBCA PW Topics 6/2/8/2014" report prepared by John (Attachment 3).

Director of Public Safety: In Jerry Brocki's absence Doug Whalen reported that Securitas will once again be the OCBCA security service this summer. Doug also reported that the Board is working to obtain a golf cart and a cell phone for use by Security over the summer. Jerry will be installing a camera on the Broughel gate this week. A security camera will also be installed by the rocks on the west side of the beach and on the guard shack at the main entrance to the Association.

Recreation Director: Harry Plaut welcomed everyone back to start the season. He announced that earlier today there was a wine and cheese party at the beach. Harry reviewed the OCBCA Summer Events schedule with the membership (Attachment 4). In addition to the OCBCA events Harry announced Sound View sponsored events such as free concerts that will be held this summer. B. J. Diefenbacher announced that the cookout scheduled for August 3rd at the Beth El Synagogue has been rescheduled to August 10th.

Public Comment – There was no public comment.

Committee Reports:

Water Pollution Control Authority (WPCA):

Frank Noe, WPCA Chair, reported that the town of Old Lyme had conducted a waste water study for the beach areas of the town from Old Lyme Shores to White Sands. This report was forwarded to the Department of Energy and Environmental Protection (DEEP) for their review in April. DEEP responded that the study which supported a community based solution located at the Cherrystones driving range was inadequate and not cost effective. As a result on May 14th the town's WPCA endorsed moving forward with plans to use the New London treatment plant. OCBCA is now a partner with the town and other beaches to engineer and install a single sewer system. Old Colony Beach, Old Lyme Shores, and the Miami Beach Associations will still have their own WPCAs which will be responsible for their own association infrastructures. The town of Old Lyme will now be responsible for the sewer system on Route 156 to its ultimate termination in New London and for the infrastructure

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for those beaches which do not have a WPCA. Frank stated that he has no idea as to the costs related to this new project. Old Colony's initial deadline of 2016 for project completion may be pushed back a year or two. The town may add to the initial service area in the future. Currently the OCBCA WPCA is working with the town and the other associations to sign a Memorandum of Understanding (MOU) describing how the separate parties will work together. Frank took questions from the membership, some of which expressed concern about the delay in final installation that has been caused by these new developments. Frank believes that economy of scale may ultimately reduce OCBCA's final costs. Frank assured the membership that the state DEEP's financial commitment to OCBCA does not change as a result of the change in plans. Members spoke in favor of maintaining our own WPCA rather than joining a town-wide group. Dimitry Tolchinsky, a member of the Old Lyme WPCA, stated that the town wants to work cooperatively with the beach associations to reach a final solution to the common waste water problem. Dimitry expects that the initial service area will be expanded by the town. Rich Kingston asked that the membership recognize Doug Whalen's for all of his efforts in pushing the sewer project forward.

FY2015 Budget: A motion (Charles Deranleau/Tony Santangelo) was made to approve the OCBCA FY2015 budget and set the mil rate at 2.5 mils. There was no discussion. The motion passed unanimously.

Old Business:

Update – Purtill Avenue Stub Lawsuit – Rich Kingston explained the results of the recently settled Purtill Avenue Stub lawsuit. Rich reported that the ultimate decision of the Court was that the Purtill Avenue stub on the Swan Road side of the property line sold to OCBCA by the Sound View Land Improvement Company was not owned by the Improvement Company at the time. The Court decided that the land had been lost to the Gineo family through adverse possess before it was sold to OCBCA as part of the wetlands sale in 2002. As a result the Association now needs to decide what it wants to do with the Purtill Avenue stub on the Association's side of the property line. Frank Noe asked if the paperwork has been filed to make the official change of ownership. The Board agreed to follow up on this issue. Doug informed the membership that the Board is working to make improvements to the Broughel Avenue gate area to ensure clear legal possession remains with the Association and that Broughel Avenue could be used as an emergency exit if the need ever arose. The Board will discuss the possibility of selling the Purtill Avenue stub to the adjacent land owners. Any such sale would have to be approved by the general membership.

USDA Easement and Approval of Sheffield Brook Improvements - A motion was made (Bob Asal/Charles Deranleau) as follows:

To approve a 100% grant in the amount of \$820,700 which includes an Easement over Sheffield Brook to the USDA. This grant will improve the flooding issues along Sheffield Brook from the outflow just south of Broughel Avenue to the inflow pipe just north of Hartung Place.

There was no discussion. The motion passed unanimously.

Sheffield Pipe & Outflow Improvements – A motion (Frank Noe/Stanley Ehrlich) was made as follows:

To approve up to \$50,000.00 to replace the undersized pipe located just north of Hartung

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Place continuing to the outflow into Long Island Sound including repairs to the outflow area to prevent future blockage.

There was no discussion. The motion passed unanimously.

Swim Raft for Beach – A motion (Tammy Judson/Frank Nicotera) was made as follows:

To approve the purchase of a swim raft at a cost not to exceed \$4,500.00. This swim raft will be placed inside the swim area of OCBCA adjacent to the outside swim lines and west of the large rock. This approval is contingent upon a favorable review by the insurance company with an annual rider not to exceed \$1,000.00.

Doug answered a question from the floor regarding the current status of the insurance as it relates to a swim raft. Doug stated that the Association's current insurance company will not insure a swim raft but that doesn't preclude a different insurance company providing this coverage. Members spoke in favor of the raft as a replacement for use of the rock by young children. Some members were concerned about the popularity of a raft which might draw people from other beaches and the Board's current inability to obtain insurance. Harry Plaut stated that White Sands insures their raft while Old Lyme Shores does not. A member asked that the vote be delayed until more information regarding insurance becomes available. Tammy declined to allow an amendment to her motion.

A paper ballot was taken with 22 votes in favor and 37 votes opposed. The motion failed.

New Business:

Doug reiterated to the members that OCBCA does not sponsor or endorse a July 4th fireworks display. The Association relies on the Beach Rangers and the town of Old Lyme Police Department to enforce the state's no fireworks rule. Doug asked that if the members do use fireworks that are legal in Connecticut that they dispose of the spent fireworks properly. Doug informed the membership that OCBCA is currently one of seven defendants; Doug is another, in a lawsuit related to a fireworks incident on the beach in 2012. Doug also requested that members consider joining the Board of Governors when elections are held at the September General Membership meeting. Doug asked members to consider joining a Charter, Bylaws, and Ordinance Revision Committee.

Public Comment - A member asked about the status of the late Joan Byer's parking lot. Doug explained that the lot is not currently for sale and is considered as one lot with the adjacent house.

Adjournment: A motion (Frank Nicotera/Bill Turley) was made to adjourn. The meeting was adjourned by acclamation at 9:00 PM.

Minutes recorded by:
Richard Kingston, Clerk
July 4, 2014

Approved by General Membership at September 6, 2014 General Membership Meeting

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**Results of Voting at the June 28, 2014 Old Colony Beach Club Association
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FY2015 Budget A motion (Charles Deranleau/Tony Santangelo) was made to approve the OCBCA FY2015 budget and set the mil rate at 2.5 mils. There was no discussion. The motion passed unanimously.

Treasurers Report

A motion (Seymour Tucker/Joel Zimmerman) was made to accept the Treasurer's Report. The motion passed unanimously.

USDA Easement and Approval of Sheffield Brook Improvements

A motion from the floor was made (Bob Asal/Charles Deranleau) as follows:

To approve a 100% grant in the amount of \$820,700 this includes an Easement over Sheffield Brook to the USDA. This grant will improve the flooding issues along Sheffield Brook from the outflow just south of Broughel Avenue to the inflow pipe just north of Hartung Place.

There was no discussion. The motion passed unanimously

Sheffield Pipe & Outflow Improvements

A motion (Frank Noe/Stanley Ehrlich) was made as follows:

To approve up to \$50,000.00 to replace the undersized pipe located just north of Hartung Place continuing to the outflow into Long Island Sound including repairs to the outflow area to prevent future blockage.

There was no discussion. The motion passed unanimously.

Swim Raft for Beach

A motion (Tammy Judson/Frank Nicotera) was made as follows:

To approve the purchase of a swim raft at a cost not to exceed \$4,500.00. This swim raft will be placed inside the swim area of OCBCA adjacent to the outside swim lines and west of the large rock. This approval is contingent upon a favorable review by the insurance company with an annual rider not to exceed \$1,000.00.

Discussion followed. A paper ballot was taken with 22 votes in favor and 37 opposed. The motion failed.

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Attachment 1

June 28, 2014 OCBCA Semi-Annual Meeting
Treasurer's Summary

As of June 28, 2014:

Total Income: \$159,820.26

Total Expenses: (\$99,275.35)

Resulting in the Net Income: \$60,544.91

Added to the beginning balance of July 1, 2013: \$89,413.75

Results in the Balance on Hand as of June 28, 2014: \$149,958.66

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Policy and procedures for collection of taxes

- Generate tax bills based on mill rate set by association members (in conjunction with Treasurer) based on Town of Old Lyme grand list provided by Secretary, Note due date of July 1st on all bills and interest penalties if not paid by August 1st
- Mail all tax bills by July 1st
- Keep a record of all tax payments made
- Turn over all taxes to the Treasurer in a timely manner
- By August 1st send out reminder notices to members who have not paid
- By August 30th mail certified letter to members who have not paid (60 days)
- By the first week of January place tax liens on all properties that have not paid in full including taxes, interest, penalties and any collections costs

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Attachment 3

PUBLIC WORKS TOPICS 06.28.14

Accomplished effective to date

a. Entry Gates: Painted all gates two (2) coats with rust-inhibited materials and installed adhesive reflector tape across front and back of top rail.

b. Vendor Insurance Requirements: OCBCA had no insurance requirements for any vendor working on the OCBCA campus. The board enacted the following requirements:

1. Commercial General Liability Insurance

- (a) \$1,000,000 each occurrence
- (b) \$2,000,000 Products/completed operations Aggregate
- (c) \$2,000,000 General Aggregate

2. Business Auto Liability

- (d) \$1,000,000 each occurrence

3. Worker's Compensation and Employers Liability

- (e) Bodily injury \$100,000 per incident
- (f) Bodily injury by disease \$500,000 policy limit
- (g) Disease each employee \$100,000

c. General Services Contract: The board developed a standardized contract to use with all vendors with a hold harmless and insurance requirements for all contractual arrangements.

d. Storm Drain Cleaning: three (3) bidders applied for our contract to clean 40 storm basins. After our inspection each, each basin had minimum of 24" of sand; some had paint products and another had clothing. The low bidder was Wind River Environmental (formerly Shoreline Sanitation) who vacuumed on 06.17.14, 06.18.14 and completed on 06.19.14.

e. Signage: Replaced broken street sign @ Gorton/Maple; replaced broken speed pole limit signs on Breen and on Old Colony; replace speed limit sign only on Gorton.

f. Landscaping: Marketed for the annual contract and selected Nickerson Landscaping LLC the low bidder. They replaced the former company who lacked proper insurance. The new contractor has enhanced the quality of service.

g. Chemical Spray: The ground from Purtil/Brookside/CT156 along the eastside border of Old Lyme Shores was sprayed with a poison ivy defoliant to help control the growth.

h. Entry Stone Pillars: The stone pillars at Old Colony and Breen Avenues were improved with field stone exteriors (previously Gorton Ave., was done). Thanks for the follow up by Don Dubaldo.

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Attachment 3, p. 2

- i. Fencing Replaced:** 1 - 8' section installed that was missing from last years hurricane at Gorton Ave beach entrance.
- j. Tree Removal:** A resident advised that a tree was split (1/2) and it could be dangerous if it fell. It was removed from the corner of Maple/Gorton on OCBCA property on 06.25.14.
- k. Broken Fence:** The OCBCA fence beginning on CT 156 –which runs along Old Colony Road, adjacent to the church, 2 sections were replaced that were damaged by a car.

FUTURE IMPROVEMENTS

- 1. Brookside:** End of pavement lot that is used by residents and vendors as a dumping ground, will be cleaned and maintained. The lot will have installed 3- 4 major boulders and a wire chain to prevent a future dumping ground. The ground will have grass along the length of the lot; it has been a dormant ground and should come to life when cleaned.
- 2. Entries all streets:** Improve the plantings at each entrance.
- 3. Brookside:** East wall from Purcell to CT 156 develop a program to enhance the looks and prevent the expensive cost to maintain.
- 4. Vegetation encroachment:** We need to address allowable distances for vegetation from edge of roads. At a number of street corners it prevents motorists seeing ATV; Golf carts; bicycles; mopeds that come to the corner which creates a major hazard. I believe that our by-laws should reflect some instructions to allow specified distances from the edge of road.

REQUEST TO THE RESIDENTS

Please refrain from dumping on the wooded lot on Gorton Avenue; it's a shame that tree remains are dumped along with grass and garbage that is filling the wood line along Gorton. We should maintain our grounds so we have a beautiful beach and compound.

Respectfully submitted,

John Melonopoulos

Director, Public Works

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Attachment 4

Old Colony Beach

“Schedule of Summer Events 2014”

| | |
|-------------------------|---|
| June 28 th | Wine and Cheese Party, 12-4pm |
| July 5 th | Movie-“Lego” |
| July 12 th | Movie-“Happy Feet” |
| July 19 th | PARTY ON THE BEACH-6:30-9:30pm-“Vintage Vox Band” Raffle, Catered by Teddy’s |
| July 20 th | Sand Castle Contest Ice Cream Social @ Beth El Synagogue |
| July 26 th | Movie-“Frozen” |
| August 1 st | Concert on the Beach 7-10pm-“Waterfront Jazz Duo” Potluck Appetizers |
| August 2 nd | Movie-“Epic” |
| August 3 rd | Cookout @ Beth El Synagogue |
| August 9 th | Movie-“ET” |
| August 16 th | Movie-“Despicable Me I” |
| August 17 th | Sand Castle Contest Ice Cream Social @ Beth El Synagogue |
| August 23 rd | Movie-“Despicable Me II” |

Please Note: All Movies on the Beach will start between 15 to 30 minutes *after* sunset.