

**ATTENTION**  
**OLD COLONY BEACH CLUB ASSOCIATION MEMBERS**

In Accordance with Article VII, Section 4 of the Bylaws of the Old Colony Beach Club Association you are hereby advised that the September Semi-Annual General Membership Meeting of said Association is scheduled for Saturday, September 7, 2019 at the Shoreline Church, 287 Shore Road, Old Lyme, CT at 6:30 PM.



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Douglas Whalen, Chairman  
August 26, 2019

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Please note the location of this meeting. The Shoreline Church is located at the corner of Shore Road (Route 156) and Old Colony Road. Parking is available on the premises.

**Please note that this packet contains a form entitled Old Colony Beach Club Association Proxy. In accordance with the Article VII Section 6 Paragraph B of the Charter members may designate a proxy if they are unable to attend a membership meeting. A member may designate a proxy holder by completing the enclosed Proxy form and submitting it prior to or at the September 7, 2019 General Membership Meeting. This form will count toward attendance and the designated proxy holder can participate in any and all voting at this meeting. The member wishing to designate a proxy holder can either name the OCBCA Clerk or another party who will attend this meeting to serve as their proxy.**

If you have not yet chosen e-mail delivery for meeting documents and other important OCBCA related business please consider completing the form included in this packet. If you choose e-mail delivery you will no longer receive mailed notices such as this but rather all necessary documents will be sent to you by e-mail. The Email Statement and Required Documents Authorization Form included in this packet explains in detail what your rights are in relation to granting permission to OCBCA to e-mail documents to you. If you choose to select e-mail delivery please bring the completed form to the General Membership Meeting or mail it to:

Old Colony Beach Club Association  
P.O. Box 10  
Old Lyme, CT 06371  
Attn: Clerk

The ability to have e-mail delivery is a feature of the recently revised Bylaws of the Association.

**Old Colony Beach Club Association**

**Proxy form**



The undersigned owner of:

(list beach address/addresses):

\_\_\_\_\_ at Old Colony Beach Club Association (OCBCA) hereby appoint/s (check one);

\_\_\_\_\_ (a) The Clerk of OCBCA, on behalf of the Board of Governors;      or

\_\_\_\_\_ (b) \_\_\_\_\_ (name of your Proxy holder).

As my/our proxy holder to attend the Semi- Annual meeting of the members of OCBCA to be held on  
**September 7, 2019**, 6:30pm at **Shoreline Church, 287 Shore Road**, Old Lyme, CT.

**The Proxy holder named above has the authority to vote and act for me/us to the same extent that I/we would if personally present.**

**Please sign and date the proxy in the space provided below**

*(Signatures of Owner/s or designated voter)*

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**THIS PROXY IS REVOCABLE BY THE UNIT OWNER AND IS VALID ONLY FOR THE MEETING FOR WHICH IT IS GIVEN AND ALL LAWFUL ADJOURNMENT. IN NO EVENT IS THE PROXY VALID FOR MORE THAN NINETY (90) DAYS FROM THE DATE OF THE ORIGINAL MEETING FOR WHICH IT WAS GIVEN.**

**Mail proxy and motion votes back to OCBCA P.O. Box 10 Old Lyme, CT 06371, Email copy to clerk@oldcolonybeach.org or have proxy holder present original before start of the meeting.**

# **OLD COLONY BEACH CLUB ASSOCIATION SEMI-ANNUAL MEETING AGENDA**

**SATURDAY, September 7, 2019, 6:30 PM**

**Location: Shoreline Church, 287 Shore Road, Old Lyme, Ct**

- Call semi-annual membership meeting to order
- Fuss & O'Neill presentation of sewer project update.
- To consider and act upon a resolution entitled "Resolution **Amending** A Resolution Appropriating \$11,000,000 For The Planning, Acquisition, Design And Construction Of A Sanitary Sewer System To Serve The Old Colony Beach Club Association And Authorizing The Issuance Of \$11,000,000 Clean Water Fund Obligations Of The Old Colony Beach Club Association To Meet Said Appropriation". **\*\*Voting Item\*\***
- To consider and act on a resolution authorizing an exchange of property at the Hartung Place & Brookside Road location. **\*\* Voting Item\*\***
- Approval of June 22, 2019 Semi-Annual Meeting Minutes
- Board of Directors report:
  - Chairman: Doug Whalen
  - Treasurer: Janet Montano
  - Clerk: Rich Kingston
  - Tax Collector: Gavin Cartiera
  - Public Works- Joel Zimmerman
  - Security: Steve Humes
  - Recreation: Vacant
- Public Comment- Association member comments on Board of Directors report
- Committee Reports
  - Water Pollution Control Authority (WPCA)

May 31, 2015  
OCBCA Board of Governors Meeting

- Board of Directors nominations **\*\* Voting Item\*\***
  - Janet Montano
  - Vacant
  - Vacant
- Old Business
- New Business
  - Burying Electrical lines in community
- Public Comment (limited to 3 minutes per speaker)
- Next Meeting: Saturday, June 27, 2020 at Shoreline Church 287 Shore Road, Old Lyme, CT. 06371

Adjournment:



### **Voting Items for September 7, 2019 General Membership Meeting**

- To consider and act upon a resolution entitled "Resolution **Amending** A Resolution Appropriating \$11,000,000 For The Planning, Acquisition, Design And Construction Of A Sanitary Sewer System To Serve The Old Colony Beach Club Association And Authorizing The Issuance Of \$11,000,000 Clean Water Fund Obligations Of The Old Colony Beach Club Association To Meet Said Appropriation".
- **Hartung road & Brookside ROW common property line revision-** approve an agreement with the owners of 22 Hartung to adjust the common property lines on Hartung & Brookside ROW to allow for Hartung roadway improvements and sewer program easements on Brookside ROW & 22 Hartung property.
- **Board of Governor's positions:** (voting for 3 positions, nominations can be made from the floor)
  - ✓ Janet Montano
  - ✓ Vacant
  - ✓ Vacant

**Old Colony Beach Club Association 2020 Fiscal Year Approved Budget  
and Actual Expenditures to 7/31/19**

	Actual FY 2017	Actual FY 2018	Actual FY 2019	Budget FY 2020 <b>APPROVED</b>	Actual 7/31/2019
<b>Revenues</b>					
Property Taxes + finance charges	144,007.62	144,654.63	144,033.74	143,000.00	74,106.28
Town of Old Lyme	9,000.00	8,900.00	8,700.00	8,450.00	4,325.00
Vendor Fees	500.00	500.00	500.00	500.00	500.00
Reimbursement for Liens & Lien Releases					
Registrations	450.00	650.00	510.00	100.00	100.00
Reimbursement for Bank Charge					
Gate Swipe Cards	470.00	350.00	315.00	100.00	90.00
Fines		40.00	20.00		
Sign damage payment			80.00		
Boat storage cost reimbursement	30.00				
Federation 1/2 dues returned	289.50	289.50	289.50		
CT Water funds overpayment returned	4,751.95				
Overcharged fees returned	1,166.00				
Interest Income General Fund	150.70	205.22	239.47	150.00	21.42
Interest Income Capital Account	123.43	164.37	180.73	100.00	12.94
State of Connecticut grant money	247,070.00	18,975.38			
Old Lyme Shores 1/2 cost Sheffield Brook Project		52,176.59			1006.25
Purtill stub sale		12,000.00			
Recreation	2,460.00	2,510.00	3,481.00	3,000.00	2,157.00
Raffle	2,531.00	3,580.00	3,032.00	2,000.00	2,729.00
Merchandise	1,241.00	1,046.00	1,720.00	600.00	471.00
<b>Total Revenues</b>	<b>414,241.20</b>	<b>246,041.69</b>	<b>163,101.44</b>	<b>158,000.00</b>	<b>85,518.89</b>
<b>Expenditures General Fund</b>					
Public Safety	21,876.91	25,394.72	27,112.73	36,000.00	758.59
Public Works	27,194.90	33,963.98	38,586.43	37,000.00	7,896.80
Insurance	5,309.00	5,439.00	5,718.00	6,600.00	
General Administration	3,663.13	6,471.85	4,268.73	7,000.00	221.35
Electricity	4,586.25	5,295.42	5,758.72	6,200.00	454.21
Fire Protection (Hydrants)	9,787.10	10,068.06	10,564.32	12,000.00	895.37
Recreation	11,073.44	9,691.03	8,368.42	10,000.00	3,644.77
Raffle	512.32	778.73	503.64	500.00	470.78
Merchandise	1,658.40	1,820.50	1,117.00	2,000.00	2,065.25
Professional Fees	4,812.50	13,281.00	3,107.50	16,400.00	
Donations	200.00	200.00	200.00	300.00	100.00
Property Taxes	955.71	920.92	927.70	1,000.00	948.86
<b>Subtotal</b>	<b>91,629.66</b>	<b>113,325.21</b>	<b>106,233.19</b>	<b>135,000.00</b>	<b>17,455.98</b>
Contingency Fund Capital Account	18,000.00	16,000.00	16,000.00	8,000.00	
General Fund Expenditures after \$ transfer	109,629.66	129,325.21	122,233.19		
<b>Capital Improvements/Expenditures</b>					
WPCA	22,000.00	22,000.00	22,000.00	15,000.00	
Fencing		1,399.68			
Sheffield Brook Permits	1,250.00				
Sheffield Brook	325,015.48	44,420.03			
<b>Subtotal</b>	<b>348,265.48</b>	<b>67,819.71</b>	<b>22,000.00</b>	<b>23,000.00</b>	<b>0</b>
<b>Total</b>	<b>439,895.14</b>	<b>181,144.92</b>	<b>128,233.19</b>	<b>158,000.00</b>	<b>17,455.98</b>
Mill Rate	3.25	3.25	3.25	3.25	3.25
Profit/Loss	(25,653.94)	64,896.77	34,868.25		

# Treasurer's Report

July 31, 2019

Jul 19

General Fund Checking	407.80
General Fund MM Savings	168,135.03
Capital Fund MM Savings	<u>101,540.54</u>
Beginning Balance July 1, 2019	270,083.37

## Ordinary Income/Expense

### Income

#### Income Capital Fund

Interest Income - Cap Fund 12.94

Total Income Capital Fund 12.94

#### Income General Fund

Interest Income - Gen Fund 21.42

Property Taxes 74,106.28

#### Fundraiser

Recreation Raffle 2,729.00

Merchandise 471.00

Total Fundraiser 3,200.00

#### Miscellaneous Revenue

OLS cost share Sheffield Brook 1,006.25

Recreation Dinner 2,157.00

Vendor Fee 500.00

Registrations 100.00

Gate swipe cards 90.00

Total Miscellaneous Revenue 3,853.25

Town of Old Lyme 4,325.00

Total Income General Fund 85,505.95

Total Income 85,518.89

Gross Profit 85,518.89

### Expense

#### Expenses General Fund

Donations 100.00

Fire Protection 895.37

#### General & Administrative

Copies and Reproductions 34.50

Dues & Subscriptions 55.00

Supplies 131.85

Total General & Administrative 221.35

#### Lighting

Streetlights 399.04

Electricity for fence lock 55.17

Total Lighting 454.21

#### Public Safety

Other 758.59

Total Public Safety 758.59

#### Public Works

Roads Maintenance 2,970.00

Beach Maintenance 3,386.80

Land Maintenance 1,540.00

Total Public Works 7,896.80

**OLD COLONY BEACH CLUB ASSOCIATION**

**Treasurer's Report**

**July 31, 2019**

	<u>Jul 19</u>	
<b>Recreation</b>		
<b>Recreation Other</b>		
Annual Summer Dinner	3,395.77	
Sand Castle	49.00	
Music on the Beach	200.00	
<b>Total Recreation Other</b>	<u>3,644.77</u>	
<b>Fundraising Expense</b>		
Raffle	470.78	
Merchandise	2,065.25	
<b>Total Fundraising Expense</b>	<u>2,536.03</u>	
<b>Total Recreation</b>	<u>6,180.80</u>	
<b>Taxes</b>		
Property Taxes-Gorton Ave/Roads	948.86	
<b>Total Taxes</b>	<u>948.86</u>	
<b>Total Expenses General Fund</b>	<u>17,455.98</u>	
<b>Total Expense</b>	<u>17,455.98</u>	
<b>Net Ordinary Income</b>	<u>68,062.91</u>	
<b>Net Income</b>	<u>68,062.91</u>	
2019 taxes prepaid in 2018	1.00	
General Funds Checking	68,435.35	
General Funds Savings	168,156.45	
Capital Fund Money Market	101,553.48	
<b>Month End Balances per Bank Statements</b>		
General Fund Checking	71,659.35	
General Fund Savings	168,156.45	
Capital Fund MM Savings	101,553.48	
<b>Outstanding Checks Not Cleared By Bank</b>		
General Fund Checking	3,224.00	
General Fund Savings	0.00	
Capital Fund Money Market	0.00	
<b>Bank Ending Balances After Uncleared Transaction Adjustment</b>		<b>Ending Balances</b>
General Fund Checking	68,435.35	0.00
General Fund MM Savings	168,156.45	0.00
Capital Fund MM Savings	<u>101,553.48</u>	0.00
<b>Ending Balance July 31, 2019</b>	<b>338,145.28</b>	

Prepared By: \_\_\_\_\_  
                     Janet A. Montano, Treasurer



RESOLUTION AMENDING A RESOLUTION APPROPRIATING \$11,000,000 FOR THE PLANNING, ACQUISITION, DESIGN AND CONSTRUCTION OF A SANITARY SEWER SYSTEM TO SERVE THE OLD COLONY BEACH CLUB ASSOCIATION AND AUTHORIZING THE ISSUANCE OF \$11,000,000 CLEAN WATER FUND OBLIGATIONS OF THE OLD COLONY BEACH CLUB ASSOCIATION TO MEET SAID APPROPRIATION

RESOLVED:

Section 1. Section 1 of the resolution of The Old Colony Beach Club Association in the Town of Old Lyme, Connecticut (the "Association"), entitled "Resolution Appropriating \$11,000,000 For The Planning, Acquisition, Design And Construction Of A Sanitary Sewer System To Serve The Old Colony Beach Club Association And Authorizing The Issuance Of \$11,000,000 Clean Water Fund Obligations Of The Old Colony Beach Club Association To Meet Said Appropriation" (the "Resolution"), is hereby amended to increase the amount appropriated therein from \$11,000,000 to \$13,000,000, such that Section 1 of the Resolution is deleted in its entirety and replaced with the following to read as follows:

"Section 1. The sum of \$13,000,000 is appropriated for the planning, acquisition, design and construction of a sanitary sewer system to serve The Old Colony Beach Club Association in the Town of Old Lyme, Connecticut (the "Association"), including, but not limited to, connection fees for the conveyance of sewage to an existing regional sewerage facility and all costs associated with connecting to said regional sewerage facility, pump stations, acquisition of real property as may be required for the project, engineering, land surveying, geophysical studies, rights of way and easements, storm drainage improvements, road reconstruction, and all other tasks related to the planning, acquisition, design and construction of said project, all to be completed in substantial accordance with plans and specifications as outlined in that certain study entitled "Wastewater Facilities Planning Report, Miami Beach Association, Old Lyme CT", dated June 19, 2015 prepared by Fuss & O'Neill, Inc., 146 Hartford Road, Manchester, Connecticut 06040, as it may be amended from time to time, and for administrative, printing, legal and financing costs related thereto, said appropriation to be inclusive of any and all State and Federal grants-in-aid less defrayment of any sewer project costs paid by The Old Lyme Shores Beach Association thereof (collectively, the "Project")."

Section 2. Section 2 of the Resolution is hereby amended to increase the amount of Clean Water Fund Obligations authorized therein from \$11,000,000 to \$13,000,000, such that Section 2 of the Resolution is deleted in its entirety and replaced with the following to read as follows:

"Section 2. The Chairman is authorized in the name and on behalf of the Association to apply for and accept any and all Federal and State loans and/or grants-in-aid of the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith to contract in the name of the Association with engineers, contractors, attorneys and others. To meet any portion of the costs of the Project determined by the State of Connecticut Department of Energy and Environmental Protection to be eligible for funding under Section 22a-475 et seq. of the Connecticut General Statutes, as the same may be amended from time to time (collectively, the "Clean Water Fund Program"), the Association is authorized and may issue interim funding obligations in anticipation of project loan obligations and project loan obligations ("Clean Water Fund Obligations") in an aggregate amount not to exceed \$13,000,000 and in such

denominations as the Chairman and Treasurer shall determine. Clean Water Fund Obligations, Project Loan and Grant Agreements under the Clean Water Fund Program, and any other instruments, agreements or certificates under the Clean Water Fund Program shall be executed in the name and on behalf of the Association by the manual or facsimile signatures of the Chairman and Treasurer, and bear the Association seal or a facsimile thereof. The aggregate principal amount of the Clean Water Fund Obligations to be issued, the dated date, final maturity, rate or rates of interest, the date, time of issue and sale and all other terms, details and particulars of such Clean Water Fund Obligations, subject to the provisions of the Clean Water Fund Program, shall be determined by the Chairman and Treasurer. Said Clean Water Fund Obligations may be secured as to both principal and interest by (a) the full faith and credit of the Association, (b) a pledge of revenues to be derived from the project, including, without limitation, sewerage system use charges, sewerage system connection charges and sewerage system benefit assessments, or any combination thereof, or (c) a pledge of revenues to be derived from the Project, including, without limitation, sewerage system use charges, sewerage system connection charges and sewerage system benefit assessments, or any combination thereof, and also by the full faith and credit of the Association. Each of the Clean Water Fund Obligations shall recite that every requirement of law relating to its issue has been duly complied with, that such obligation is within every debt and other limit prescribed by law, and that either (a) the full faith and credit of the Association, or (b) a pledge of revenues to be derived from the Project, including, without limitation, sewerage system use charges, sewerage system connection charges and sewerage system benefit assessments, or any combination thereof, or (c) a pledge of revenues to be derived from the Project, including, without limitation, sewerage system use charges, sewerage system connection charges and sewerage system benefit assessments, or any combination thereof, and also the full faith and credit of the Association are pledged to the payment of the principal thereof and the interest thereon."

Section 3. Section 3 of the Resolution is hereby deleted in its entirety and replaced with the following:

"Section 3. The Association hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and any time after the date of passage of this resolution in the maximum amount and for the Project with the proceeds of Clean Water Fund Obligations, bonds or bond anticipation notes or other obligations (collectively, "Tax-Exempt Obligations") authorized to be issued by the Association. Tax-Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Association hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Chairman or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of Tax-Exempt Obligations, and to amend this declaration."

Section 4. The Resolution is hereby further amended to include the following new sections at the end of the Resolution to read as follows:

"Section 5. To meet any portion of the costs of the Project, \$13,000,000 bonds of the Association or so much thereof as shall be necessary for such purpose, shall be issued,

maturing not later than the maximum maturity permitted by the General Statutes of Connecticut, as amended from time to time (the "Connecticut General Statutes"). Said bonds may be issued in one or more series as determined by the Chairman and the Treasurer, in the amount necessary to meet the Association's share of the cost of the Project determined after considering the estimated amount of State and Federal grants-in-aid of the Project or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Association by the facsimile or manual signatures of the Chairman and the Treasurer, bear the Association seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by the Association's bond counsel. The bonds shall be general obligations of the Association and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Association are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interest, shall be determined by the Chairman and the Treasurer, in accordance with the Connecticut General Statutes. The Association may issue taxable bonds or notes as the issuance of such taxable bonds or notes is hereby determined to be in the public interest.

Section 6. Said bonds shall be sold by the Chairman in a competitive offering or by negotiation, in his discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Association. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, provisions of the purchase agreement shall be approved by the Chairman.

Section 7. The Chairman is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Chairman and the Treasurer, have the seal of the Association affixed, be payable at a bank or trust company designated by the Chairman, be approved as to their legality by the Association's bond counsel, and be certified by a bank or trust company designated by the Chairman pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Association and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Association are pledged to the payment of the principal thereof and the interest

thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 8. The Chairman is hereby authorized, on behalf of the Association, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved."

Section 5        The remaining provisions of the Resolution shall be applicable to this resolution as of the effective date of this resolution and shall remain in full force and effect.

Section 6.        This resolution shall be effective upon its approval by each of the Board of Governors of the Association and the Association electors and persons qualified to vote at a duly warned Semi-Annual Meeting to be held pursuant to the Association Charter and in accordance with the Connecticut General Statutes.

**RESOLUTION AUTHORIZING EXCHANGE OF PROPERTIES**  
**Hartung Place & Brookside Ave ROW (right of way)**

WHEREAS, based upon survey information, it appears that a small portion of the Hartung Place roadway may encroach upon the property of the owners of 22 Hartung Place; and

WHEREAS, the owners of 22 Hartung Place need a small portion of land on the east side of their property and within the Association's Brookside Road right of way for landscaping purposes and in order to meet the required setback; and

WHEREAS, the Association needs to make adequate provision for construction and maintenance of its sewer which is to be installed within the Brookside Road right of way; and

WHEREAS, the owners of 22 Hartung Place have agreed to make provisions to allow for the Association's sewer construction and maintenance activity within the Brookside Road right of way, and

WHEREAS, the proposed exchange of property will not interfere with the traditional, current or future use of Hartung Place as a road; and

WHEREAS, the Association and the owners of 22 Hartung Place have tentatively agreed on a mutual exchange of properties to accomplish the above purposes.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Governors is authorized to negotiate and execute deeds of conveyance, easements and any and all other documents that may be necessary to implement the proposed exchange of properties along Hartung Place and Brookside Road.

OLD COLONY BEACH CLUB ASSOCIATION  
SEMI-ANNUAL MEETING  
SATURDAY, JUNE 22, 2019  
SHORELINE CHURCH, 287 SHORE RD., OLD LYME

**Old Colony Beach Club Association Semi-Annual Meeting**

The meeting was called to order at 6:34 p.m. by Board Chairperson Doug Whalen. Doug began the meeting with the Pledge of Allegiance and with a moment of silence in memory of Association family members who have passed away since our last meeting. Doug confirmed with the Clerk Rich Kingston that a quorum was present. Doug stressed that the use of a proxy will assist in attendance and makes it easier to obtain a quorum

**Approval of September 8, 2018 Semi-Annual Meeting Minutes:** A motion (Marilyn Asal/Adeline Livingston) was made to approve the September 8, 2018 minutes. There was no discussion. The motion passed.

**Board of Director's report:**

**Chairman's Report:** Doug presented his Chairman's Report (Attachment 1) to the membership.

**Treasurer's Report:** Janet Montano presented a Treasurers Summary for the period ending June 22, 2019 (Attachment 2). Janet noted that the full Treasurers Report with a detail of transactions would be posted on the Association's website.

**Clerk's Report:** Rich Kingston reminded members that the next General Membership meeting is scheduled for September 7<sup>th</sup>.

**Tax Collector Report:** In Gavin's absence Doug reported that all taxes have been paid with the exception of one homeowner who owes a small portion of their last year's taxes.

**Director of Public Works Report:** Joel Zimmerman reported that the Association is all set for the summer season. Joel stated that the jet-ski and swim lines are in and that the beach has been cleaned and groomed. Joel also reported that mosquito pellets have been placed in the storm drains to address any mosquito problems. This will be done three more times in the first week of each month through September. He also reported that the annual beds at the front of the streets have been put in and the side hill on Brookside Avenue has been mowed.

**Director of Public Safety Report:** Steve Humes reported that the Association has a new security company this year called Investigative Consultants LLC based in East Haven. The Point of Woods Association also uses this service. Steve noted that arrangements have been made so that an extra guard will be working for all four days of the 4<sup>th</sup> of July weekend. Doug stated that the guard service has a highly visible uniform. The security golf cart will begin appearing on Association streets next weekend.

**Entertainment Director Report:** Doug reported that the Entertainment Director Sonia Dudas has resigned from the Board of Governors due to a new job out of state. Sonia will continue to spend vacations in the community. Doug asked for volunteers to fill this role until the position is up for

**Old Colony Beach Club Association  
Semi-Annual Meeting  
Saturday, June 22, 2019**

election this September. Doug listed the planned summer activities. Doug announced that the annual summer picnic will be held Saturday, July 20<sup>th</sup>. Doug asked all members who are planning to donate a raffle prize for this event to inform him of such but to hold the item(s) until a few days before the picnic. Doug asked for a few members to volunteer to assist in soliciting additional raffle prizes. Doug also announced that there will be a Karaoke Night on the beach on Saturday, July 13<sup>th</sup> from 7 to 10 PM. Doug noted that there will be two sand castle contests, one in July and one in August. Doug also stated that the Third Stone Band will perform again this year on Saturday, August 3<sup>rd</sup>. Doug stated that all of the summer events are listed on the three beach bulletin boards. Doug also informed the body of similar recreational activities being held at Sound View Beach and in the town of Old Lyme this summer.

**Public Comment** – Marilyn Asal asked a question about the new trash-recycle schedule which begins Monday, July 1. John Melonopoulis expressed his disappointment regarding the lack of a response from the Board when he offered a suggestion regarding street cleaning. John is also concerned that the Association does not require golf carts to be insured. Lenny Gregorian wants the Association to make sure that a guard sits at the water line border with Sound View Beach to ensure that unauthorized people do not access our beach. Doug replied that the post orders for security stress that this position must be covered at all times during beach days. Michael Bernstein suggested that Grove Street should be made a one-way going west rather than east as its current permanent direction. Doug stated that the traffic pattern for the Association was decided by the sign pollution committee which recommended that Maple Street be one way west and Grove Street be one way east. Doug reported that the no turn signs have been installed. Doug stated this issue will be discussed at the next Board of Governor meeting. Another member asked for larger street signs. Bill Zaharevich suggested (somewhat tongue in cheek) that a way to reduce traffic violations would be to award the person who turns in the violator one half of the fine.

**FY2020 Budget** - Doug informed the membership that the Board is proposing a 3.25 mil rate for FY2020. Doug advised the membership that due to the requirements of the state supported sewer project a full audit would now need to be done every year adding expense to the professional fees line in the budget. Doug also reviewed a few other changes to the FY2020 budget. A motion (John Melonopoulis/Nancy Lagano) was made to approve the Board of Governor Endorsed FY2020 Budget with a mil rate of 3.25. (Attachment 3). Frank Noe asked a question about the level of funding proposed for professional fees. The questions was moved and the motion passed.

**List of Fines Effective July 1** – Doug introduced the Clerk Rich Kingston and asked him to explain the new list of fines (Attachment 4) which will go into effect on July 1. Rich explained that under Section 8.14 of the Ordinances the Board of Governors was directed to establish a list of fines. Rich asked for comments from the floor. Doug thanked Rich and Gavin Cartiera for their efforts working on this issue. Mike Bernstein commented on the issue of dogs on the beach especially regarding a service dog versus a therapy dog. Rich pointed out that all three beach bulletin boards have the state rules regarding the designation of a service animal. Doug pointed out that therapy animals are not allowed on the beach while a service animal must be allowed by state law. John Melonopoulis asked about golf cart registrations. Doug explained that there is a one-time fee for golf cart, etc. registration. Doug stated that a new ticket form has been printed and will be used by Security beginning July 1. Doug also pointed out that the list of fines also contains a form which will allow members who receive tickets to appeal them.

**Old Colony Beach Club Association  
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Saturday, June 22, 2019**

**Committee Reports-**

**Water Pollution Control Authority** – Doug introduced Frank Noe who is the chairman of the OCBCA Water Pollution Control Authority. Frank started by listing the members of the WPCA: Bob Asal, Frank Nicotera, Steve Humes, Don Brodeur, Nancy Zimmerman, Joe Cancilliere, and himself, Frank Noe. Frank began by explaining that agreements with bordering towns have been completed although the final location of the pump station has not yet been determined. The joint portion of the project is now in the design phase. That portion's costs are shared by all three associations going from the pump station through a forced main to East Lyme. Frank thanked Janet Montano for her assistance in paying the bills for this portion of the project. There is expectation that the town of Old Lyme (for the Sound View area) will become a fourth partner in this process. Frank reported that the town is conducting two public meetings to explain the town's portion of the project. A town-wide referendum is tentatively scheduled for August 13th to approve this project. Frank urged all those attending this meeting to vote to approve this referendum and ask their friends and neighbors to also do so. Frank explained that if a person is listed on a deed in Old Lyme they are eligible to vote in the referendum. Frank stated that the current projection is for the OCBCA sewer project to be completed by the end of 2021. Frank stated that the WPCA negotiated with the state to allow the state sponsored loan to cover the total cost of new roads rather than just to pay for the lateral cuts in the road necessary to hook up the individual users.

Frank opened the floor to questions. Doug stated that each homeowner will receive a packet of information that will allow each homeowner to indicate where they want the lateral connection to be located. John Melonopoulis asked about the timing of hooking up laterals versus the installation of a new road surface. Frank said that that issue will be addressed and he did state that it currently looks like all homes will be required to hook up to the system. Lenny Gregorian asked whether the state DOT will hold off on repaving Route 156 until our system is ready to be installed. Frank hopes so as that would save significant funds. Pete Carnrick thanked Frank Noe and the WPCA for the amount of work they are doing. Jim Fazzino asked about the possibility for public review of the design plan. Frank stated that he is not sure how to address that question. Jim also asked about the funding for the project. Frank explained that the state is granting twenty-five per cent for allowable expenses and the remaining expenses are eligible for a low cost (2%) loan for twenty years. Jim asked about separating out the roads and storm improvement from the actual cost of the sewers themselves. Frank stated that the current thinking is that all three improvements would be rolled up into one project. Jim is concerned about fair taxation and overall authority related to general improvements rather than sewer related work. Jim asked if the storm drains and widening of the roads is formally included in the sewer project approved by the state. Frank stated that he needed to get more information to answer that question. Frank said that there will be attention paid to the issue that Jim raised. Michael Bernstein asked if the sewer pipes would go down the side streets. Frank stated that that issue would be addressed by the design phase. Frank stated that he may want to have Fuss & O'Neill do a presentation on the design plan once it is completed. Another member asked what the cost of individual hook-up to the sewer system would be. Frank did not want to offer a number as each home's situation may be different. Frank explained that some difficulties with the town did hold up project progress in the past. Doug took the time to thank Frank personally for all the work he is doing.



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**New Business** – Doug has been asked about the possibility of burying all of the overhead utility lines. Frank Noe and Doug have been meeting with a former Eversource representative to discuss the possibility of burying the utility lines. Doug is looking into the availability of grant funds. Doug thinks it might cost as much as two million dollars. Doug noted that Old Lyme Shores is currently exploring this issue also. Doug plans to do a full presentation of the possibility of pursuing burying utility lines to the membership at its September meeting. Doug stated that the membership will have the final say in this matter. Rosemary Lombard asked if there is any consideration about bringing natural gas to the community. Pete Carnrick stated that he would hope that the Board treated every member equally. Pete stated that the issue about 22 Hartung Place has been dragging on and he feels that the homeowner has not been treated fairly. Pete is concerned that part of Hartung Place appears to be owned by the homeowner rather than by OCBCA. Pete proposed a motion for the Association to give authority to the Board to arrange a swap of land between the Association and the homeowner. Doug responded that this motion was out of order since it involves the exchange of property and has not been listed on the agenda for a vote. Doug stated that the Board has been working with the Association attorney. Doug stated that the Board needs proper information before it can act on the request from the owner of 22 Hartung Place. The Association's attorney has advised him that there will be no issues in regard to bringing the sewer line down Hartung Place even if the Board does not approve the request. Doug stated that he wants to have the situation resolved amicably and for the approval of the final determination of property designation to be voted on by the membership at the September General Membership meeting. Doug wants to let the members know that the Board is working on this issue diligently and also making sure to look out for the interests of all Association members. Doug stated that there are a number of issues related to this matter that the membership does not currently know about. Doug stressed that the Association attorney has been intimately involved in assisting the Board in regard to this issue.

**Public Comment** – There was no public comment.

**Next Meeting** – The next OCBCA General Membership meeting will be held at the Shoreline Church at 6:30 PM on Saturday, September 7.

**Adjournment:** A motion (Bob Barbarini/Shelly Zinkerman) was made to adjourn. The meeting was adjourned by acclamation at 8:25 PM.

Minutes recorded by:



Richard Kingston, Clerk  
June 25, 2019

Old Colony Beach Club Association  
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**Results of Voting at the June 22, 2019 Old Colony Beach Club Association  
Semi-Annual General Membership Meeting**

**FY2020 Budget**: A motion (John Melanopoulos/Nancy Lagano) was made to approve the Board of Governor Endorsed FY2020 Budget with a mil rate of 3.25. (Attachment 3). There was no discussion. The motion passed.

**Old Colony Beach Club Association  
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**ATTACHMENT 1**

Chairman's report for June 22, 2019 Membership Meeting

- Worked with WPCA Chairman on Sewer project- attended meetings and phone calls. Easement issue meetings, State funding meetings, East Lyme/New London issues meetings & Town of Old Lyme WPCA program meetings.
- Worked with WPCA Attorney with closing on February 26<sup>th</sup> for the "shared" infrastructure (sewer system from pump station to East Lyme pipe).  
Worked with WPCA Attorney for closing of internal Sewer infrastructure funding agreement closing. Closing documents submitted, project closing to be completed by July 30<sup>th</sup>.
- Worked with State of CT and treasurer to set-up financial program to accept funds from State of CT for sewer project.
- Worked with Recreation Director on summer recreation projects
- Worked with Public Safety Director on Security issues- phone calls and review of security Officer contract, walk through complex and review of post orders with new security company staff
- Worked with Comcast Business to setup cameras on critical infrastructure that shows live remote access feed and 30 day "cloud" recording.
- Worked with Eversource to fix street light outages
- Worked with NRCS on Gorton Ave easement area. Requested assistance in (2) dead tree removal & get approval to plantings that promote butterflies and more color in open field area of Gorton Ave. Working with NRCS to remove the invasive plants that are growing in the easement area. NRCS will provide the first year of removal and the Association will need to budget for future upkeep.
- Attended federation of beaches meetings
- Worked on OCBCA newsletter.
- Working with federation of beaches, Town Select Woman and resident Trooper to go over beach area security & safety concerns during the summer months
- Worked with property owners at 22 Hartung on Roadway issues
- Worked on preparing Association for summer season, put up beach signs, cleaned all stop signs and speed limit signs, cleaned out Security shed, placed temporary security shed on Old Colony Road, brought clothing inventory out of storage
- Working with contractors on Broughel gate. Need to relocate solar panel
- Issued numerous window decals, gate cards, beach passes and issued golf cart/scooter license plates for new registrations.
- Worked with Resident Trooper on Isolated incident during Memorial Day weekend. Security observed (2) males taking pictures of houses in OLS & OCBCA when approached, the (2) males took off. Video of (2) males captured on Sheffield Brook camera, video sent to Resident Trooper for ID purposes in case report of break-in is received.
- Spoke to Town & CWPM sanitation service to go over new sanitation contract. Effective July 1<sup>st</sup> refuse will be every Monday (only Monday) & recycle will be every Tuesday (now every week).
- Worked with resident to provide coverage to open & close main gates (Breen, Gorton & Brookside gates). Gates will be open for refuse & mail every week then closed the remainder of the time to control public access to private community.

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**ATTACHMENT 2**

Treasurer's Summary  
OCBCA Board Meeting  
June 22, 2019

Balance July 1, 2018:	\$235,258.50
	\$162,866.93 *
	(\$44.38) FY 2018 tax overpayment made in 2017*
	<u>\$1.00</u> FY 2018 tax overpayment*
Income:	\$162,823.55
Expenses:	\$98,805.73
Balance June 22, 2019:	\$299,276.32
General Fund Checking	\$2,637.26
General Fund MM Savings	\$173,113.75
Capital Fund MM Savings	<u>\$123,525.31</u>
Balance June 22, 2019	\$299,276.32

\*QuickBooks does not consider tax overpayments made in one FY as income in that year but as income in the following FY.

Old Colony Beach Club Association  
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ATTACHMENT 3

**Old Colony Beach Club Association 2019 Fiscal Year Proposed Budget  
and Actual Expenditures to 5/31/18**

ATTACHMENT 4	Actual FY 2016	Actual FY 2017	Budget FY 2018 APPROVED	Actual 5/31/2018	Budget FY 2019 PROPOSED
<b>Revenues</b>					
Property Taxes + finance charges	141,160.49	144,007.62	141,500.00	143,985.58	141,500.00
Town of Old Lyme	9,100.00	9,000.00	8,450.00	8,900.00	8,470.00
Vendor Fees		500.00	500.00	500.00	500.00
Reimbursement for Liens & Lien Releases					
Registrations	350.00	450.00	200.00	550.00	200.00
Reimbursement for Bank Charge					
Gate Swipe Cards	445.00	470.00	200.00	150.00	200.00
Fines	40.00			40.00	
Sign damage payment					
Boat storage cost reimbursement	30.00	30.00			
Federation 1/2 dues returned		289.50		289.50	
CT Water funds overpayment returned		4,751.95			
Overcharged fees returned		1,166.00			
Interest Income General Fund	186.74	150.70	75.00	186.82	75.00
Interest Income Capital Account	99.87	123.43	75.00	151.73	75.00
Easement Funds	8,250.00				
State of Connecticut grant money	52,930.01	247,070.00			
Old Lyme Shores 1/2 cost Sheffield Brook Project				47,355.51	
Purill stub sale				12,000.00	
Recreation	2,600.00	2,460.00	2,000.00	2,510.00	2,000.00
Raffle	2,744.00	2,531.00	2,000.00	3,580.00	2,000.00
Merchandise	1,570.50	1,241.00		340.00	
<b>Total Revenues</b>	<b>219,506.61</b>	<b>414,241.20</b>	<b>155,000.00</b>	<b>220,539.14</b>	<b>155,020.00</b>
<b>Expenditures General Fund</b>					
Public Safety	24,145.03	21,876.91	26,000.00	17,787.55	30,000.00
Public Works	31,367.65	27,194.90	40,000.00	30,088.95	37,000.00
Insurance	5,241.00	5,309.00	6,400.00	5,439.00	6,300.00
General Administration	6,499.06	3,663.13	6,000.00	5,541.41	6,000.00
Electricity	5,022.24	4,586.25	5,800.00	4,878.91	5,700.00
Fire Protection (Hydrants)	9,139.94	9,787.10	10,200.00	9,197.31	10,500.00
Recreation	8,038.42	11,073.44	9,000.00	9,572.05	10,000.00
Raffle	100.00	512.32	500.00	778.73	500.00
Merchandise	1,219.50	1,658.40	1,600.00		1,500.00
Professional Fees	9,816.11	4,812.50	10,000.00	13,281.00	8,320.00
Donations		200.00		100.00	200.00
Property Taxes	929.56	955.71	1,500.00	920.92	1,000.00
<b>Subtotal</b>	<b>101,518.51</b>	<b>91,629.66</b>	<b>117,000.00</b>	<b>97,585.83</b>	<b>117,020.00</b>
Contingency Fund Capital Account	13,000.00	18,000.00	16,000.00	16,000.00	16,000.00
General Fund Expenditures after \$ transfer	114,518.51	109,629.66	133,000.00	113,585.83	
<b>Capital Improvements/Expenditures</b>					
WPCA	22,000.00	22,000.00	22,000.00		22,000.00
Fencing				1,399.68	
Sheffield Brook Permits	1,685.00	1,250.00			
Sheffield Brook	49,530.00	325,015.48		31,632.53	
<b>Subtotal</b>	<b>73,215.00</b>	<b>348,265.48</b>	<b>22,000.00</b>	<b>33,032.21</b>	<b>38,000.00</b>
<b>Total</b>	<b>174,733.51</b>	<b>439,895.14</b>	<b>155,000.00</b>	<b>130,618.04</b>	<b>155,020.00</b>
Mill Rate	3.25	3.25	3.25	3.25	3.25
Profit/Loss	44,773.10	(25,653.94)			

Printed: June 1, 2018

**Old Colony Beach Club Association  
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Saturday, June 22, 2019**

**ATTACHMENT 4**

**List of Fines for Violation of OCBCA Charter and Ordinances**

*Final Version – March 12, 2019*

Unlicensed operator/driver of a motor vehicle, golf cart, scooter or ATV (Ch. 8.9 of Ordinances)	\$50 per instance
Exceeding the posted speed limit on Association roads (Ch. 8.3 of Ordinances)	\$50 per violation
Parking and Parking Lot Violations (Chs. 8.2, 8.3, 8.5, 8.7, 8.10 & 8.13 of Ordinances)	\$20 per instance
Reckless driving on Association roads (Chs. 8.1 & 8.4 of Ordinances)	\$100 per violation
Driving the wrong way on a one-way street (Ch. 8.11 of Ordinances)	\$20 per violation
Blocking of Street or Right of Way without Board Permission (Ch. 8.6 of Ordinances)	\$50 per instance
Dogs on the beach (Ch. 6.8 of Ordinances)	\$25 per instance
Unleashed dogs on OCBCA Property (Ch. 6.8 of Ordinances) (Licensed Service Dogs Exempt)	\$25 per instance
Not picking up dog defecation on OCBCA Property (Ch. 6.8 of Ordinances)	\$25 per instance
Home maintenance violation (Chs. 2.1 to 2.5 & 2.9 of Ordinances)	\$50 per day
Littering (Ch. 2.1. of Ordinances)	\$20 per instance
Noise ordinance violation (Ch. 6.1 & 6.2 of Ordinances)	\$50 per instance
Improper water discharge (Chs. 2.7 & 2.8 of Ordinances)	\$50 per day
Unpermitted fires on OCBCA Property (Ch. 6.4 of Ordinances)	\$100 per instance
Operating a Motor Vehicle on the Beach(Ch. 8.10 of Ordinances)	\$50 per instance
Beach Violations (Glass, Unauthorized Coolers, etc.) (Ch. 2.2 of Ordinances)	\$20 per instance
Operation of Non-OCBCA Registered Vehicle (Ch. 8.9of Ordinances)	\$50 per instance
Un-authorized Construction from July 1 <sup>st</sup> through Labor Day (Ch. 6.9 of Ordinances)	\$50 first day  \$100 per day for next 4 Days  Daily Fine Doubles every 5 Day Period for continuous construction*

\*\$50 per day on day 1; \$100 per day for days 2 to 5; \$200 per day for days 6 to 10; \$400 per day for days 11 to 15; etc.

Continuous construction is defined as work performed over a period of time for a specific purpose, i.e. home renovation or reconstruction, major landscaping project, etc. The Old Colony Beach Association Board of Governors may establish additional examples as experience dictates.