

**March 11, 2020**

**Old Colony Beach Club Association Board of Governors Meeting  
Nancy Zimmerman's Home, 6 Jean Lane, South Windsor, Ct**

The meeting was called to order at 6:34 PM by Board Clerk Rich Kingston as the Board Chair, Douglas Whalen, was attending remotely by phone.

**ATTENDANCE:** Members present- Janet Montano, Nancy Zimmerman, Lester Webb, Gavin Cartiera (by phone), Steve Humes (by phone), Rich Kingston and Doug Whalen (by phone).

There were no members of the public present.

**Approval of 11/23/2019 Board of Governors Meeting Minutes:** A motion was made (Montano/Zimmerman) to accept the minutes from the November 23, 2019 Board of Governors Meeting. There was no discussion. The motion passed.

**Treasurers Report (Janet Montano):** Janet presented the Treasurers Summary for the period ending November 13, 2019 (Attachment 1). A motion (Zimmerman/Webb) was made to accept the Treasurers Report. There was no discussion. The motion passed unanimously.

**Action Items Update:** Rich reported that there were no outstanding Action Items.

**Committee Reports-**

**Chairman's Report (Doug Whalen):** Doug stated that he only had two items for his report. Doug informed Janet that the Go Daddy SSL Certificate for the Association's web presence was being automatically renewed in May on his credit card for \$311.74 and that he will be requesting reimbursement. Doug also informed the Board that he has re-registered the Association's SAM account with the federal government's grant award management system.

**Clerk's Report (Rich Kingston):** Rich stated that he had nothing to report.

**Tax Collector (Nancy Zimmerman):** Nancy reported that she had nothing to report beyond the fact that two Association members still owe their FY20 taxes.

**Recreation (Gavin Cartiera):** Gavin stated that there has been some discussion regarding about not holding the raffle at this year's annual summer event. The time and effort required to obtain raffle prizes combined with Doug's absence due to a planned vacation during that period makes

conducting the raffle problematic. Rich asked about utilizing the recently Board approved part time summer Recreation position. Doug then informed the Board that subsequent discussions with OCBCA's attorney have determined that the requirements for insurance and the employee status of the position create some difficulties in hiring this position. A motion (Whalen/Zimmerman) was made to suspend the hiring of a Recreation Director until further information can be gained regarding the ramifications of this action. Steve suggested that it might be better to table this action rather than rescind the previous decision at this time. With the approval of both Doug and Nancy the motion was withdrawn. Doug will continue to work on this issue.

**Public Safety (Steve Humes):** Steve had nothing to report at this time. Doug suggested that the golf cart for security be obtained for the period of Memorial Day to Labor Day. In the past we have started using the cart at the start of July. Lester asked why a golf cart has not been purchased rather than rented seasonally. The Board agreed to consider purchasing a cart if arrangements can be made for maintaining the golf cart and storing over the winter. Doug stated that he would get competing quotes for both renting and purchasing of a golf cart. The Board agreed to renew this discussion at its April meeting.

**Public Works (Lester Webb):** On behalf of the Board Rich welcomed Lester as the new Public Works Director. Lester was curious about who provides Old Lyme Shores' beach cleaning services. Doug stated that he has spoken to this individual and informed him that OCBCA still has one more year left on its existing beach cleaning contract with H.S Plaut Environmental Services but the Association would be interested in soliciting a bid from him next year.

**WPCA Report -** Steve reported that the combined WPCAs are working with the town to negotiate an easement with the owner of private land needed to run sewer lines from Old Colony Beach to Sound View and Miami Beach Association. Steve informed the Board that the combined WPCAs are also working on the necessary easement for the private land on which the pump station will be built. OCBCA's WPCA continues to discuss the EDU formula prior to making its final determination on the best formula. Doug stated that the Connecticut Water Company has buried all the water lines at White Sands Beach and intends to bury all the lines at Sound View Beach by May.

**Cost Sharing Agreement for Four Beaches –** Doug reported that once he has the final Cost Sharing Agreement, which amends the one originally signed to include a change to the decision making process and includes Sound View Beach, he would ask the Board to give him advance permission to sign it. Doug stated that OCBCA has been designated as the responsible party for paying all project related bills initially. The expenses will

subsequently be apportioned and OCBCA will be reimbursed for those costs specific to the other parties to the agreement. Steve stated that he believes that Doug is not working from the latest draft agreement for this arrangement. Steve pointed out that the most recently revised agreement, specifically paragraph 4.1a, contains language that concerns him regarding the town's participation in this agreement and its effective dates. Frank Noe, chair of the WPCA, has informed Steve that there is a separate agreement that addresses his concerns. A motion (Humes/Montano) was made to authorize Doug as Board Chairman to negotiate and sign the new Cost Sharing Agreement for Four Beaches on the condition that the concerns expressed about paragraph 4.1a be addressed and that that paragraph be removed/revised prior to final signature thereby making the agreement effective on signature. There was no further discussion. The motion passed unanimously.

**Webster Bank Loan/Bonding Proposal for Storm Drainage System –**

Doug explained that he and Frank Noe have been working with Webster Bank to obtain a \$1.2 million loan for all of the incidental expenses for the sewer project which are not covered by the Clean Water Fund grant or loan. Doug noted that the storm drainage improvement project is definitely not included as an allowable expense for the Clean Water Funds and will need to be paid for by the Association from its own financial resources. These improvements are not expected to exceed \$720,000. Rich asked about the \$86,000 debt service amount listed in the draft loan agreement provided to the Board by Doug. Doug replied that this is the annual payment due to Webster Bank for the duration of the fifteen (15) year loan. Rich asked about the financial impact to the Association membership. Doug replied that obtaining these funds from members can be obtained in two ways: either by a specific annual assessment or by adding this cost into the projected annual expenditure total when the Board determines the annual Association tax rate. Doug stated that the borrowed funds could then be invested until they are required. Doug stressed that the membership will have to approve the method the Board recommends to obtain the needed funds prior to entering into any loan agreement. If the members should vote not to obtain a loan the storm drain improvement project could not then proceed. A motion (Whalen/Kingston) was made to authorize Doug Whalen to obtain information from Webster Bank and to sign a commitment letter for \$1.2 million with the understanding that no final agreement can be reached without membership approval. There was no discussion. The motion passed unanimously. A motion (Whalen/Zimmerman) was made to allow Doug Whalen to work with bond counsel Bruce Chadwick to negotiate this loan. There was no discussion. The motion passed unanimously. Doug stated that he has questions into Fuss & O'Neill about the storm water drainage system. After he gets their answers he will be bringing this issue to the Board's attention at the April meeting in order to gain the Board's approval to

authorize Fuss & O'Neill to design this system. The Board then discussed the alternate designs presented by Fuss & O'Neill.

**Easement for Sewers** – A motion (Whalen/Kingston) was made to grant an easement to the OCBCA WPCA from the Old Colony Beach Association for all Association lands and roads as outlined in map C-1 (Attachment 2) identified by Fuss & O'Neill. There was no discussion. The motion passed unanimously. *{Subsequent to this meeting the language of the easement as presented at this meeting was determined to need one final revision}.*

**Sheffield Brook Outlet Emergency Repair** – Rich asked about the progress of planning to make emergency repairs to the Sheffield Brook outlet to Long Island Sound. Doug received information that the west groin had not moved obviating the need for more rock. Fuss & O'Neill recommended that the groin be left as it is. On another matter Doug stated that repairs do need to be made at the north end of the weir box. Montano & Sons will make the necessary repairs. Doug has also asked Montano to remove the gravel from the bottom of the box as the anticipated safety need for gravel turned out not to be necessary.

**New Association Legal Counsel** – Rich restated Janet's question regarding why there is a need to change attorneys. Doug believes that the Association needs an attorney more familiar with WPCA matters. This attorney's practice is smaller and could be more responsive than a larger firm might be. A motion (Whalen/Humes) was made to replace Rome McGuigan with Attorney J. Brendan Sharkey of Killingworth for Association legal services and to give permission to Doug Whalen to sign such agreement on behalf of the Board with Attorney Sharkey. Janet asked when this new attorney would need the required \$5,000 retainer. Doug also stated that he would compose a letter to send to Attorney Bradley of Rome, McGuigan to inform him of the Board's decision. The motion passed unanimously.

**Landscape Contract** – Doug received bids from two contractors to provide landscaping services this year. A motion (Whalen/Webb) was made to accept Tower Landscaping's bid for these services. Rich had questions about the process of comparing the two bids as he did not see that all services bid by Nickerson, last year's contractor, were bid by Tower Landscaping. Les Webb will make the decision as to when the mowing will start. The motion passed unanimously.

**Summer Security Contract** – Steve has been in conversations with last year's contractor, Investigative Security Consultants, regarding security services for this summer season. This company wants to increase their regular hourly rate to \$21.75/hour and to their holiday rate to \$32.63/hour. Steve recommends that we accept this new rate as it is primarily due to the

recent increase to the state's minimum hourly wage. Doug stated that he tried to get alternate firms to bid this service with no success. A motion (Humes/Webb) was made to contract with Investigative Security Consultants for summer security guard services. There was no discussion. The motion passed unanimously.

**Easement Language for 22 Hartung Place** – Doug stated that now that the Board has agreed to replace attorneys he will give this assignment to Attorney Sharkey to complete the membership approved easement.

**Budget for FY2021** – Doug would like the Board members to let him know if they have financial needs that should be addressed in the annual budget planning process. Doug will present the draft budget at the April meeting.

**Other Old Business** – There was no Other Old Business.

**New Business** – There was no New Business.

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

**NEXT MEETING** - The next Board of Governor's meeting is scheduled for Wednesday, April 8, 2020 at 6:30 PM at Rich Kingston's home in Old Lyme.

A motion (Montano/Webb) was made to adjourn at 8:04 PM. The motion passed.

Respectfully submitted



Richard Kingston

Clerk

March 25, 2020

Minutes Approved at April 8, 2020 Board of Governors Meeting

**Results of Voting at the March 11, 2020 Old Colony Beach Club Association Board of Governors Meeting. Board of Governor Members present- Janet Montano, Nancy Zimmerman, Lester Webb, Gavin Cartiera (by phone), Steve Humes (by phone), Rich Kingston and Doug Whalen (by phone).**

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March 11, 2020  
OCBCA Board of Governors Meeting

Attachment 1

Treasurer's Summary  
OCBCA Board of Directors Meeting  
March 11, 2020

Balance July 1, 2019:	\$270,083.37
	\$160,226.89 *
	(\$1.00) FY 2019 tax overpayment made in 2018*
	<u>\$0.49</u> FY 2019 tax overpayment credit*
Income:	\$160,226.38
Expenses:	\$119,084.06
Balance February 29, 2020:	\$311,225.69
General Fund Checking	\$54,610.98
General Fund MM Savings	\$168,295.76
Capital Fund MM Savings	<u>\$88,318.95</u>
Balance February 29, 2020	\$311,225.69

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

