

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 12, 2020 at the Volley Ball Court, Old Colony Beach, Old Lyme, CT at 6:00 PM. As this event will be held outdoors the rain date for this meeting is Sunday, September 13, 2020 at 10:00 AM.



Douglas Whalen, Chairman
August 31, 2020

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 12, 2020 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.

OLD COLONY BEACH CLUB ASSOCIATION SEMI-ANNUAL MEETING AGENDA

SATURDAY, September 12, 2020, 6:00 PM**

Location: Volley Ball Court, Old Colony Beach, Old Lyme, Ct

- Call to Order
- Approval of September 7, 2019 Semi-Annual Meeting Minutes
- Board of Directors report:
 - Chairman: Doug Whalen
 - Treasurer: Janet Montano
 - Clerk: Rich Kingston
 - Tax Collector: Nancy Zimmerman
 - Public Works: Lester Webb
 - Security: Steve Humes
 - Recreation: Gavin Cartiera
- Public Comment- Association member comments on Board of Directors report
- FY 2020 Budget Year End Balance Transfer ****VOTING ITEM****
- Board of Directors nominations ****VOTING ITEM****
- Old Business
- New Business
- Committee Reports
 - Water Pollution Control Authority Update & EDU Presentation
- Public Comment
- Next Meeting: June 19, 2021

Adjournment:

****Rain Date for Meeting is Sunday, September 13 @ 10:00 AM**

Treasurer Summary

Old Colony Beach Club Association 2021 Fiscal Year Proposed Budget and Actual Expenditures to 7/29/2020

	Actual FY 2018	Actual FY 2019	Actual FY2020	Budget FY 2021	Actual 8/29/2020
				APPROVED	
Revenues					
Property Taxes + finance charges	144,654.63	144,033.74	144,300.59	163,000.00	160,363.16
Town of Old Lyme	8,900.00	8,700.00	8,645.00	8,900.00	4,469.00
Vendor Fees	500.00	500.00	500.00	500.00	500.00
Reimbursement for Liens & Lien Releases					
Registrations	650.00	510.00	700.00	100.00	250.00
Reimbursement for Bank Charge			30.00		
Gate Swipe Cards	350.00	315.00	370.00	100.00	70.00
Fines	40.00	20.00			
Sign damage payment		80.00			
Boat storage cost			100.00		100.00
Beach Cleaning Donations					275.00
Federation 1/2 dues returned	289.50	289.50	289.50		
Federation donation for defibrillator			1,500.00		
Interest Income General Fund	205.22	239.47	189.25	150.00	7.13
Interest Income Capital Account	164.37	180.73	126.22	100.00	3.67
State of Connecticut grant money	18,975.38				
Old Lyme Shores 1/2 cost Sheffield Brook	52,176.59		2,360.75		800.00
Purill stub sale	12,000.00				
Recreation	2,510.00	3,481.00	2,157.00		
Raffle	3,580.00	3,032.00	2,729.00		
Merchandise	1,046.00	1,720.00	2,400.00	200.00	337.00
Total Revenues	246,041.69	163,101.44	166,397.31	173,050.00	167,174.96
Expenditures General Fund					
Public Safety	25,394.72	27,112.73	34,942.65	36,000.00	15,870.75
Public Works	33,963.98	38,586.43	37,690.06	36,000.00	10,082.29
Insurance	5,439.00	5,718.00	5,955.00	7,000.00	
General Administration	6,471.85	4,268.73	8,005.37	7,000.00	
Electricity	5,295.42	5,758.72	5,670.06	6,400.00	773.56
Fire Protection (Hydrants)	10,068.06	10,564.32	10,654.83	12,000.00	1,848.54
Recreation	9,691.03	8,368.42	4,211.33	3,550.00	120.00
Raffle	778.73	503.64	473.97		
Merchandise	1,820.50	1,117.00	3,242.50	500.00	
Professional Fees	13,281.00	3,107.50	10,282.50	16,200.00	400.00
Donations	200.00	200.00	200.00	200.00	
Property Taxes	920.92	927.70	948.86	1,200.00	1,105.04
Subtotal	113,325.21	106,233.19	122,277.13	126,050.00	30,198.18
Contingency Fund Capital Account	16,000.00	16,000.00	8,000.00	47,000.00	47,000.00
General Fund Expenditures after \$ transfer	129,325.21	122,233.19	130,277.13		
Capital Improvements/Expenditures					
WPCA	22,000.00	22,000.00			
Stormwater Study			56,100.00		
Fencing	1,399.68				
Sheffield Brook	44,420.03				
Subtotal	67,819.71	22,000.00	56,100.00	47,000.00	-
Total	181,144.92	128,233.19	178,377.13	173,050.00	30,198.18
Mill Rate	3.25	3.25	3.25	3.50	3.50
Profit/Loss	64,896.77	34,868.25	(11,979.82)		

Printed 8/29/2020

Old Colony Beach Club Association Proxy



The undersigned owner of:

(OCBCA Beach

Address): _____

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 12, 2020**, 6:00pm at **OCBCA Beach Volleyball court area**, 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 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.**



Voting Items for September 12, 2020 General Membership Meeting

- **Article VIII section 3-** authorization of single transfer from Fire Protection to Merchandise due to overage by \$1,242.50. (Note: merchandise sales were \$2,400.00)

(CIRCLE ONE)

YES

NO

Solicitation for Nominations to the Old Colony Beach Association Board of Governors

The Old Colony Beach Club Association of Old Lyme has a Board of Governors made up of seven (7) members of the Association. The terms of two Governors will be expiring in September and these two vacancies will be filled at the Association's General Membership meeting on September 12, 2020. The successful candidates will serve a three (3) year term of office.

The Association is asking interested members to seek election to a Board vacancy. If you would like to self-nominate or know of someone that you would like to nominate to serve on the Board please complete the form below with the person(s) name and a short description of interest that can be shared with the membership prior to the actual vote. Nominations will also be accepted from those present at the meeting on September 12.

Name of Nominee* _____

Why nominee is interested in serving (this will be shared with all members present prior to the voting):

In keeping with the terms of the newly amended Charter proxy voting will be allowed. This change in the Charter will allow members to enter a vote at the General Membership meeting without attending the meeting itself. In the past members had to be present to vote.

In order to qualify to serve on the Old Colony Beach Board of Governors a person must be an Association member in good standing and be listed as an owner on the deed of at least one property within the Association. You must also be a member in good standing to nominate someone else to stand for election.

Return this form to the Old Colony Beach Club Association, P.O. Box 10, Old Lyme CT 06371 Attn: Clerk or E-mail the Name and why nominee is interested to clerk@oldcolonybeach.org by Thursday, September 10th, 2020. You may also drop off your nomination form to me at my home address of 12 Old Colony Road. You may also nominate someone at the meeting.

**If you are nominating someone other than yourself please make sure that that person is willing to seek election and that she/he can serve on the Board of Governors before submitting her/his name.*

Richard Kingston, Clerk
August 31, 2020

OLD COLONY BEACH CLUB ASSOCIATION
SEMI-ANNUAL MEETING
SATURDAY, SEPTEMBER 7, 2019
SHORELINE CHURCH, 287 SHORE RD., OLD LYME

Old Colony Beach Club Association Semi-Annual Meeting

The meeting was called to order at 6:35 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 asked any new members to stand up and introduce themselves to the members. No one stood at this time. Doug stated that comments from the audience after the Fuss & O'Neill presentation and during the Public Comments sections of the meeting will be limited to three (3) minutes per person. Doug asked the members to send questions that are not answered by Fuss & O'Neill to his attention so he can get the answers.

Fuss & O'Neill presentation of the Sewer Project Update: Doug introduced Kurt Mailman of Fuss & O'Neill to give an update about the Sewer Project (Attachment 1). Kurt began his presentation by summarizing the reasons for the sewer project which additionally includes roads and storm drains. Kurt explained that this project began in 2012 and he described the progress of this project to date. Kurt said that construction, once it begins, should last from 18 to 24 months. Kurt stated that from September of this year until June of 2020 Fuss & O'Neill will complete the mapping process for all OCB parcels. Kurt explained that "Frequently Asked Questions", explanations about how individual homeowners can complete the recently distributed Sewer Lateral Location Form and the explanation of how to abandon existing septic systems will be posted on the Association's website. Kurt explained how lateral connections for the system are important to each Association homeowner. He suggested that each homeowner speak to a qualified drain layer or plumber to assist them in locating their connection to the sewer lateral. Kurt then entertained questions from the floor. Lenny Gregorian of 47 Gorton Avenue asked if the sewer lines would only run north to south or in any east to west directions. Doug stated that current planning does not have Maple and Grove having sewer lines. The other three streets running east to west would have sewer lines in place. Larry Passinese of 5 Brookside Avenue asked how deep the sewer lines would be buried. Kurt responded that the sewer lines would be buried no shallower than four feet. In reply to a question from Steve Wallet of 80 Old Colony Road Kurt stated that each homeowner's drain layer/plumber will be provided information necessary to allow connection to the lateral in the street. Gary Rubinfeld of 4 Breen Avenue asked if the Association will provide a list of contractors who can do the individual sewer connections or will each homeowner have to find their own. Kurt stated that the usual process is for smaller contractors to "round up" a number of individual users to offer a better price. Doug stated that the WPCA would provide a list of a few contractors interested in performing this work. Doug also stated that each homeowner would be free to hire whomever they want to do this work. Larry Michaud of 12 Breen Avenue asked Kurt how long the construction would take and if it would be continuous until completion. Kurt replied that the construction will proceed continuously and is projected to last eighteen (18) to twenty-four (24) months. Jeff Whalen of 39 Old Colony Road asked what would happen if a sewer line encroaches on a neighbor's water line (Kurt earlier stated that regulations require a ten (10) foot separation between water and sewer lines). Kurt replied that DEEP and the Department of Public Health are working on a protocol to address this problem. Kurt suggested that homeowners should note such concerns on their Sewer Lateral Location Form. The owner of 36 Breen Avenue asked if a lateral can be driven on if it is under a driveway and what happens to the existing septic tank. Kurt stated that unless there is heavy machinery

using a driveway there is no problem with the lateral. Kurt explained that according to the public health code there is a 13 step process about how to legally abandon a septic tank. This explanation will also be available on the Association's website. Bob Asal of 71 Old Colony Road if homeowner could install a water line and a sewer line in the same trench. Kurt replied that that is not normally allowed. Doug stressed that each homeowner should note on their forms if they feel they have special situations that Fuss & O'Neill should be aware of. Doug also stated that these forms can be changed at a later date as long as construction has not started. Rich Kingston of 12 Old Colony Road asked what if the lateral is situated across from a leaching field but the home cannot be immediately hooked up to the system. Kurt stated that arrangements would be made to allow the existing septic system to function in the meantime. Another resident asked about the problems created by construction during the summer months. Doug replied that reasonable accommodations will be made for the residents that will allow the construction to proceed without delay. Another resident suggested that the Association negotiate for the best price allowing homeowners to use that vendor. Cynthia Filkoff of 17 Breen Avenue and 16 Old Colony Road asked about plans surrounding disturbing existing growth. Doug stated that Grove Street will be 18 feet wide and Maple will be 16 feet wide to allow two way traffic. Doug stated that the engineers will address turning radiuses at street corners. Kurt stated that planning has not proceeded yet to the issue of how to address existing growth. Craig Smith of 2 Breen Avenue asked if the roads would have curbs. Kurt stated that the preference is not to install curbs due to the movement of surface water. Dee Sprinkle of 51 Gorton Avenue asked if there would be list of contractors approved by the Association for the lateral hookups. Doug stated the goal is to have the WPCA, with the assistance of Fuss & O'Neill, interview contractors wishing to work in the Association prior to providing a list of approved contractors to Association members. Joe Frutuoso of 8 Gorton Avenue asked if it is worthwhile to have a trusted contractor assist in completing the Sewer Lateral Location Form. Kurt encouraged that idea. Carrie Jacques of 47 Gorton Avenue asked if two cottages could use the same line. Kurt stated that that is not usually allowed. Doug stated that both of Kurt's presentations will be available on the OCBCA website (oldcolonybeach.org). The questions from the floor ended and Doug thanked Kurt for his time.

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 \$11,000.00 Clean Water Fund Obligations Of The Old Colony Beach Club Association To Meet Said Appropriation" (Voting Item):

Doug explained that this agenda item had been posted in the New London Day. Doug explained that Old Colony Beach was the first of the four beaches involved in the sewer project to bond funds for the sewers. The Connecticut Department of Energy and Environmental Protections (DEEP) only wants to deal with one entity when distributing Clean Water Funds (CWF). As a result Old Colony Beach Club Association has been designated as the lead party for the four beaches (Old Colony Beach, Old Lyme Shores, Miami Beach and Soundview Beach) involved in the sewer project. Because OCB is the entity of record with DEEP our Association will receive all Clean Water Funds and will be initially responsible for all costs related to the infrastructure from the pump house to its hookup point with the East Lyme sewer system (Attachment 2). In addition funding for work required for storm drains and other ineligible costs also need to be added into the bond resolution. Doug informed the members that if one member requests a secret ballot on this issue we are prepared to proceed with a paper ballot. Doug proceeded to read the resolution in full (Attachment 3). Doug then asked for a motion from the floor to accept this resolution. A motion (Larry Michaud/Bob Asal) was made to accept the resolution as read. Doug asked for comments from the floor. Lenny Gregorian of 47 Gorton Avenue asked if the \$13,000,000 is retired after two years and then gets rolled into the long term low interest loan from DEEP and into separate bond funding for the ineligible CWF costs. Doug confirmed that that is the case. Doug stated that he is

hopeful of obtaining a low interest rate for bonding necessary for the non-eligible costs. As there were no more questions Doug asked for a vote from the membership. In a voice vote the motion passed unanimously with 90 votes in favor of the motion with no abstentions and no objections.

To consider and act on a resolution authorizing an exchange of property at the Hartung Place and Brookside Road location (Voting Item): Doug explained that the new homeowner of 22 Hartung Place had asked for a property line adjustment after determining that a portion of the road in front of 22 Hartung Place was on his property. Doug displayed a site map (Attachment 4) displaying the portion of the property on Hartung Place and the property that the homeowner (Deborah Feigenbaum) is asking to be given in exchange for the land on 22 Hartung Avenue. The proposal being considered by the Board is to exchange the two pieces of property with the proviso that a temporary construction easement and a permanent sewer maintenance easement be placed on the land given to the homeowner. Doug then read the resolution in full authorizing the Board to negotiate an agreement to effect this property exchange (Attachment 5). A motion (Steve Wallet/Frank Nicotera) was then made to approve the resolution as read. Doug then asked for comments. Frank Tomaro of 69 Brookside Avenue asked for a clarification concerning the line drawn on the site map. Doug explained that the new property line under consideration extends eight (8) feet toward Brookside Road from end of the porch of the existing house. Greg Smith of 2 Breen Avenue asked if the change in property lines will be recorded in the deed. Doug responded that the attorneys representing the two parties will ensure that that happens. Rosemary Lombard of 74 Old Colony Road agreed with obtaining the portion of land under Hartung Place but wanted to know why the homeowner is being given more square footage than she is giving. Doug responded that the easement is a significant advantage to the Association. Tony Santangelo of 63 Gorton Avenue asked if the land given to 22 Hartung Place is restricted, as stated in the resolution, to landscaping purposes. Doug stated that that is the case. Doug then called for a vote. In a voice vote the motion passed unanimously (90 votes) with no abstentions and no objections. Doug stated that he thought this action was a win-win for both the Association and the homeowners.

Approval of June 22, 2019 Semi-Annual Meeting Minutes: A motion (Joel Zimmerman/Lisa Semel) was made to approve the June 22, 2019 minutes. There was no discussion. The motion passed.

Board of Director's report:

Chairman's Report: Doug presented his Chairman's Report (Attachment 6) to the membership. Doug presented a slide displaying the current thinking about installing speed humps when the roads are repaved after the sewer project (Attachment 7).

Treasurer's Summary: Janet Montano presented a Treasurers Summary for the period ending June 22, 2019 (Attachment 8). Janet noted that the full Treasurers Report, a budget sheet and a detail of transactions by account would be posted on the Association's website.

Clerk's Report: Rich Kingston complimented the pastor of the Shoreline Church for his generosity and willingness to share his church resources with our membership. Rich asked those present to consider serving on the Board of Governors when the vote is taken later in the meeting to fill three vacant positions.

Tax Collector Report: Gavin reported that \$142,827 in taxes and fees have been collected for the July 2019 tax bills with \$1,271.98 still outstanding. Gavin stated that new procedures are being put in place regarding tax collection.

Director of Public Works Report: Joel Zimmerman reported that all contract work was satisfactory this year. Joel said that Montano & Sons worked on removing rocks from the east side of the Sheffield Brook jetty this summer. Joel also reported that the Association's landscaper has adopted a new mowing pattern for the upper portion of the Sheffield Brook easement area as directed by NRCS. Joel expressed special thanks to Joe Frutuoso for dedicating three days this summer to painting the speed bumps.

Director of Public Safety Report: Steve Humes reported that the Association will be soliciting new companies to provide security service next summer.

Entertainment Director Report: As this position is vacant Doug reported that it was a great year for summer events. Doug asked the membership if they have ideas regarding types of food that can be served at next year's summer picnic.

Public Comment – Larry Mandell of 58-1 Breen Avenue asked about the road area on each side of the proposed speed humps. Doug explained that those are three foot spaces for pedestrians to avoid the speed hump. Larry stated that these gaps would do nothing to slow down scooters and golf carts from speeding which are a major on-going problem. Larry asked if the membership can have some input into this design. Bob Asal of 71 Old Colony Road asked if the Association gives the Shoreline Church a donation to thank them for use of the facility. Doug replied that we give a donation to the church for both the June and September meetings. Cindy Rischall of 22 Purtill Avenue asked the Association to consider changing the June and September semi-annual meeting times from the evening to the morning. Doug stated that the meetings can be held on any Saturday in June and September. Doug asked for a show of hands about who would like to change the meeting time. The results were fairly evenly split. Joyce Basche of 58 Gorton Avenue stated that Board members are all to be congratulated for taking on the job of the sewers.

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 and their qualifications. The members are Bob Asal, Frank Nicotera, Steve Humes, Don Brodeur, Nancy Zimmerman, Joe Cancelliere, and himself, Frank Noe. Frank thanked all those who were present who voted in the recent town referendum to approve funding for sewers for Soundview Beach.

Board of Directors Nominations – Doug informed the membership that there are three vacant positions on the Board of Governors. Doug entertained nominations from the floor. Marilyn Asal nominated Janet Montano with a second from Mike Cohen. Janet accepted the nomination. Frank Nicotera nominated Nancy Zimmerman with a second from Janet Montano. Nancy accepted the nomination. There was no other nomination to fill the final Board vacancy. Rich Kingston, as Clerk, cast one vote each for both Janet Montano and Nancy Zimmerman to serve on the OCBCA Board of Governors.

Old Business – Doug reported on his efforts to secure prices for a project to bury utility lines during the sewer construction process. Doug reported that he and Frank Noe have been meeting with former Eversource employees to determine the feasibility of burying overhead utility lines. After a brief explanation of the requirements that such an effort would require and the estimated cost of \$2,342,000 and an estimated cost of \$10,944 per home. Doug explained that there are no grants available and that the individual hook-up costs to be paid by the homeowner are estimated to be between \$1,000 and

\$1,500, not including necessary trench work. Doug stated that the Board has done its due diligence by researching this issue. Doug stated that although this is the best time to do this project it does not currently seem feasible for the Association to take on this project. Individuals can make their own arrangements if they wish to bury their utility lines.

New Business – There was no new business.

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, June 27, 2020.

Adjournment: A motion (Nancy Zimmerman/Linda Humes) was made to adjourn. The meeting was adjourned by acclamation at 8:33 PM.

Minutes recorded by:

A handwritten signature in black ink, appearing to read 'Rick Kingston', written over a horizontal line.

Richard Kingston, Clerk
September 16, 2019

Results of Voting at the September 7, 2019 Old Colony Beach Club Association Semi-Annual 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 \$11,000.00 Clean Water Fund Obligations Of The Old Colony Beach Club Association To Meet Said Appropriation”: A motion (Larry Michaud/Bob Asal) was made to accept the resolution as read. Doug asked for comments from the floor. Lenny Gregorian of 47 Gorton Avenue asked if the \$13,000,000 is retired after two years and then gets rolled into the long term low interest loan from DEEP and into separate bond funding for the ineligible CWF costs. Doug confirmed that that is the case. Doug stated that he is hopeful of obtaining a low interest rate for bonding need for the non-eligible costs. As there were no more questions Doug asked for a vote from the membership. In a voice vote the motion passed unanimously with 90 votes in favor of the motion with no abstentions and no objections.

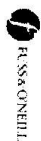
To consider and act on a resolution authorizing an exchange of property at the Hartung Place and Brookside Road location: A motion (Steve Wallet/Frank Nicotera) was made to approve the resolution as read. After discussion Doug called for a vote. In a voice vote the motion passed unanimously (90 votes) with no abstentions and no objections.

Board of Directors Nominations – Doug informed the membership that there are three vacant positions on the Board of Governors. Doug entertained nominations from the floor. Marilyn Asal nominated Janet Montano with a second from Mike Cohen. Janet accepted the nomination. Frank Nicotera nominated Nancy Zimmerman with a second from Janet Montano. Nancy accepted the nomination. There was no other nomination to fill the final Board vacancy. Rich Kingston, as Association Clerk, cast one vote for both Janet Montano and Nancy Zimmerman to serve on the OCBCA Board of Governors.



Project Goals

- Protect long term viability of Long Island Sound
- Construct Sewer system – replace septic tanks and cesspools
- Pave New Roads
- Improve Storm Drainage
- Comply with Unified DEEP Consent Order
- Maximize Financial Incentives from DEEP



Estimated bonding cost for interim funding program

\$13 million bond breakdown:

- Shared forced main
 - Miami beach share- \$5,955,000.00
 - Old Lyme Shores share- \$1,489,000.00
 - Soundview share- \$1,247,000.00
 - OCBCA Share- \$1,718,000.00
- Total OCBCA Sewers only (CWF Bond) \$1,501,000.00
- Total OCBCA Sewers only (CWF Bond) \$4,333,000.00
- Total OCBCA ineligible costs- \$1,878,000.00
- Total projected cost increases from 2012 \$ 700,000.00
- **Total proposed funding needed for interim bonding- \$12,866,000.00**

Attachment 3

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.

100



Property of Old Colony Beach Club Association

RESOLUTION AUTHORIZING EXCHANGE OF PROPERTIES

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.

ATTACHMENT 6

Chairman's notes for September 7th membership meeting.

- To everyone that helped with small projects throughout the summer, thank you, to my wife who listens to my complaints and many of the Association members complaints thank you for your patience and love for the Association.
- Worked with NRCS to finalize plans for easement area. Both dead trees were taken down by tree service and paid for by NRCS. All Habitat will monitor the easement area monthly for invasive plants and will treat for same over the next 3-years under a NRCS contract. Once during the winter months (November-March) the easement area upper and lower sections will be mowed. Winter mowing is recommended for better wildflower growth in the spring. OCBCA will continue to do a full site mowing every 2 or 3 years to keep the area looking good.
- Spoke at the Point of Woods 100th anniversary event on Friday 7/26 as Chairman of OCBCA. Congratulated the Beach Association on 100 years of service.
- Worked on many handyman activities in community, cleaning street signs, replacing broken street signs, replacing entrance light batteries, calling in Eversource streetlight repairs, worked on pedestrian gate repairs, cleaned security shed and took out blue garbage barrels by shed every week..
- Worked with Fuss & O'Neill on WPCA project informational packets to residents, worked with Fuss & O'Neill survey team to go over storm drain program, assisted Fuss & O'Neill with street marking for boring tests, worked 32 hours providing traffic coverage for boring truck in complex. Assisted McVac Company that removed over 9 ton of sediment in 32 storm drains providing 7-hours of traffic control with large vac truck. Provided assistance to Fuss & O'Neill with signatures for the monthly CWF 644D & CWF 720D reimbursement documents filed with the State of CT.
- Provided recreation program assistance including; movie showings, setting out A frame on beach with weekly activities each week, setup for music on the beach, setup for picnic on the beach, worked with Brenda Massa & Claire Cutler on raffle prizes for picnic, assisted with sandcastle contest making ice cream coupons & marked ribbons. Ordered OCBCA clothing and provided OCBCA clothing to residents. Worked on getting a YOGA program on the beach every Saturday morning.
- Worked on Public Safety programs such as; verifying Security company bill and security officer issues during the day & night shifts. Provided license plates for new golf carts & scooters, provided gate cards & beach passes to residents, provided welcome packets to new residents.
- Provided responses to phone calls & Emails from residents, on Association issues like, construction issues, cars on street issues, dogs on beach issues, gates open issues
- Worked with insurance company to review insurance program, looking at other insurance companies to provide better coverage for Association
- Submitted M-20a Annual Report of Special tax District to the Town of Old Lyme clerk's office

- Attended Town of Old Lyme zoning meeting on properties associated with Old Colony Beach and attended meetings related to the pump station zoning change. Attended meeting with Federation of Beaches and other beach association meetings that were related to OCBCA. Attended Sound view commission meetings to monitor Soundview commission program updates
- Worked with Town of Old Lyme First Selectwoman and resident Trooper on issues related to OCBCA.
- Attended meetings with WPCA Chairman to discuss possible loans for Construction & design items that are outside of the Clean Water Fund program.

Attachment 7



Attachment 8

Treasurer's Summary OCBCA Semi Annual Meeting September 7, 2019

Balance July 1, 2019:	\$270,083.37
	\$154,978.33 *
	(\$1.00) FY 2019 tax overpayment made in 2018*
	<u>\$0.49</u> FY 2019 tax overpayment credit*
Income:	\$154,977.82
Expenses:	\$50,724.87
Balance September 7, 2019:	\$374,336.32
General Fund Checking	\$81,589.67
General Fund MM Savings	\$168,177.87
Capital Fund MM Savings	<u>\$124,568.78</u>
Balance September 7, 2019	\$374,336.32

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