

February 10, 2021

**Old Colony Beach Club Association Board of Governors Meeting
Remote Meeting Hosted with Zoom**

The meeting was called to order at 6:30 PM by the Board Chair, Douglas Whalen. Board members attended by means of Zoom videoconference software.

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

Members of the Public: Harvey Schiller, Jim Fazzina, and John Newson.

Approval of 1/13/2021 Board of Governors Meeting Minutes: A motion was made (Montano/Humes) to approve the January 13, 2021 Board of Governors Meeting minutes. There was no discussion. The motion passed unanimously.

Treasurers Report (Janet Montano): Janet presented the Treasurers Report for the period ending January 31, 2021 (Attachment 1). A motion (Zimmerman/Humes) was made to accept the Treasurers Report. There was no discussion. The motion passed unanimously.

Action Items Update: Rich reported that there were still two outstanding Action Items. The pending Action Item #70 was regarding the need for Gavin and Rich to review the current list of fines to determine if additional infractions need to be added. Rich stated that this item will be addressed later in the meeting as agenda item #10. Rich also stated that Action Item #72 pending at this time is for Steve to work with the Association's attorney to develop a collection procedure for delinquent fines. That issue will also be discussed under agenda item #10.

Rich then reviewed the list of "Suggestions during Public Comment." Rich stated that the four of the eight suggestions addressed at the January 2021 Board meeting have been filed with no action taken (Install Electric Entry Gates, Man Security Gates during Summer Daylight Hours, Construct a Gazebo, and Reconsider Use of Speed Bumps). Rich noted that the third suggestion (Place Recycle Bins on Beach) has been accepted and Lester and Doug will be responsible for making sure this happens. The fourth suggestion regarding installing concrete sidewalks onto the beach will be discussed under agenda item #8 also later in this meeting. Rich also noted that the suggestion regarding the reissuance of beach passes will be addressed as agenda item #9 later in this meeting. The final suggestion, regarding requiring mail trucks to turn around to allow road gates to remain

closed during the summer, has been assigned to Lester and he is working toward a solution. Lester advised the group that the local postmaster has agreed to visit the Association and that Lester will discuss this matter with him at that time.

Committee Reports-

Chairman's Report (Doug Whalen): Doug reported that all of his report is covered in agenda items to be addressed later in this meeting.

Clerk's Report (Rich Kingston): Rich had nothing to report.

Tax Collector (Nancy Zimmerman): Nancy reported that she had one outstanding tax amount due in the amount of \$58.79. Nancy has asked the Board to allow her to advise the delinquent tax payer that if they pay this amount before June 30 no additional finance charges will be added to their bill. A motion (Whalen/Kingston) was made to waive additional finance charges if the member pays the outstanding tax of \$58.79 by June 30, 2021. There was no discussion. The motion passed unanimously.

Recreation (Gavin Cartiera): Gavin had nothing to report.

Public Safety (Steve Humes): Steve reported that he has been in touch with a possible new vendor for summer security guard services. Steve expects to have last year's security guard service and other companies bid on this summer's service needs.

Public Works (Lester Webb): Lester reported that he has not received any complaints about the road conditions after the most recent snowstorm. Lester reported that the service has improved since the first storm. Doug did receive a complaint about the need to plow Old Colony Road wider. Doug stated that he has been keeping a photographic record of how Sheffield Brook looks before and after major storms. Doug stated that Montano and Sons has agreed to regrade the beach before May 15.

Beach Cleaning and Swim Buoy Contract for 2021: Doug informed the Board that, as a result of discussion at last month's Board meeting, he had sent out a revised bid solicitation to the two vendors expressing interest in performing beach cleaning services this year. Doug noted that street sweeping has been removed from the bid as summer sewer construction work will obviate the need for street sweeping for this year. Doug also noted that Steve prepared a cancellation clause to be included in the three year contract which will give the Association the option to end the contract at the end of any of the three years that the contract will cover. Doug stated that H.S. Plaut Environmental Services has submitted a bid totaling \$16,000 while Anthony Landscaping has submitted a bid for \$16,300. Janet noted

that the new bids do not include any additional charges for debris disposal or dump fees. Doug noted that there is still one more year on the swim buoy contract with H.S. Plaut Environmental Services. A motion (Whalen/Montano) was made to accept the bid from Plaut Environmental Services for \$16,000 annually. There was some discussion about the limited level of cooperation that has been exhibited in the past by H.S. Plaut Environmental. Doug stated that although Anthony's Landscaping does not currently have a finishing bar the contractor said that he will purchase one if he wins the contract for Old Colony Beach. Some of the Board members stressed the need to support Lester in his role as Director of Public Works. Doug moved the vote to accept H.S. Plaut Environmental Services bid for beach cleaning. The motion was defeated three votes for and four votes against. A motion (Humes/Cartiera) was made to accept the bid from Anthony's Property Services, LLC for \$16,300 annually. There was no further discussion. The motion was passed four votes for and three votes against. Doug did make it clear that the existing swim buoy contract remains in effect and Doug will speak to Harry Plaut to confirm that he will continue to perform this service. At this time Rich made a general comment about the need to use a standardized format for all OCBCA contracts. Steve Humes suggested that the Association's attorney should be asked to perform a review of OCBCA's personal service contract format and prepare a new template that could be used for all Association contracts. Steve believes that there a number of shortcomings in the existing format.

Roadway Improvements for Beach Entrances – Doug stated that the Broughel Avenue stub will have a road base installed from Old Colony Road to the gate during the sewer construction project. The section of Broughel Avenue on the Swan Avenue side of the gate will be a walkway rather than a roadway. Doug stated that the southerly section of Old Colony Road and Gorton Avenue end at beach entrances. Doug stated that road access needs to be given to the residents who live at these entrances. Doug stated that the contractor recommended the use of concrete blocks rather than asphalt which was initially suggested. The same type of blocks would also be used at the Breen Avenue entrance to accommodate golf cart parking and a beach sidewalk. Rich asked how these improvements will be funded. Doug replied that the funding depended on whether the sewer project or the storm drainage project requires the improvement. Rich stated that he is interested in the cost of the improvements. Doug stated that the cost information should be available before the Board makes the final decision.

Beach Pass Distribution Protocol – Janet has made passes for many of the streets so far. She had specific questions for the Board about how many passes should be distributed to homes that don't reasonably fit the formula of two per living unit. These questions also addressed the living units on

Swan Avenue that qualify for beach passes under a prior court order. Janet suggested that each pass will have to be signed for and that the effective date of use for these passes would be July 1. Rich asked why the Board would want to wait that far into summer to implement the use of these new passes. Doug stated that the changeover from old to new passes would take some time to implement. Rich asked if an exchange system could be implemented to retrieve old blue passes and issue new passes in exchange. Rich asked what would happen if a beach pass is lost and needs to be replaced. Janet suggested \$50 as a replacement cost. The Board agreed that there should be a reasonable fee but that \$50 is too much. Doug asked that this issue be put on the March agenda for further discussion regarding the process for replacing lost beach passes. Doug stated that he would create something to present to the Board at that time. There was discussion about what reference numbers appear on the pass. The beach address will appear on the front of the pass and a separate pass number will appear on the back. Rich asked that if the two numbers would require the security guard to check both numbers on each pass. Doug said that that was the case and Rich replied that he felt that that was asking too much of the guards and would probably not be efficiently managed. Gavin then asked if some type of bar code system could be used instead of the numbers allowing the guard to scan the beach pass to determine its legitimacy. Rich offered to check with the Association's Webmaster to see if this suggestion was practicable.

Update to Fines for Violations & New Collection Procedure – Steve stated that he has not yet had a chance to talk to the attorney about the new collection procedure so he is not prepared to discuss it with the Board at this time. Rich summarized his and Gavin's presentation at the last Board meeting. Rich did appreciate a suggestion from John Noonan, a member who attended the Board meeting last month, that instead of simply requiring reimbursement in some cases a nominal fine should also be attached to those types of infractions. Rich said he would finalize Gavin's and his recommendations and present them to the Board in final fashion at the March meeting. Janet wanted to recognize Nancy, as Association Tax Collector, for collecting the last of the outstanding fines.

WPCA Report - Steve Humes reported that the WPCA has finalized the process of determining which members want to keep their wells operational. It appears that only two homeowners in the community want to keep their wells while all the other well owners will be abandoning theirs. Steve reported that Frank Noe has sent out information to the homeowners to describe how to go about abandoning their wells. The two owners who want to keep their wells will be responsible for installing a sleeve around their sewer lines to protect the sewer from the wells. Steve also reported that most of the required permits have been finalized. Amtrak has yet to issue

their permit. DEEP has confirmed that the WPCAs can go out to bid as long as the bid documents state that all permits must be in place before work can begin. Steve said that the bid package will go out to bid in the near future. Steve stated that there are seven homes that are part of the town of Old Lyme's Soundview Beach sewer project on Gorton Avenue Extension and Breen Avenue Extension. To connect these seven homes to the Soundview sewer project will involve crossing Sheffield Brook and installing a negative grade pipeline at extreme expense. As a result the town is asking the OCBCA WPCA to include these homes in its sewer project. The WPCA has asked the town for more information regarding the town's potential cost to include it with their Soundview project compared to allowing these homes to join the OCBCA project. Steve reported that the thought is to include a special fee to allow these homes to join OCBCA's project. The town would still be responsible for on-going Operation and Management (O&M) and sewage processing costs for these seven homes. Doug took the opportunity to commend the WPCA and especially Joe Cancelliere for his efforts to reduce engineering costs significantly. Doug also added that the Association needed to obtain six or seven temporary construction easements from homeowners along Hartung Place. Janet asked if the easements could be obtained by the town as the easements are needed to allow construction for the shared project of which the town is a member. Janet suggested that this could save time and money for OCBCA. Steve thinks that this is a valuable suggestion. Doug will check on whether or not this is possible.

Old Business –

19 Hartung Place Update: Doug stated that he spoke to the Association's attorney and asked him to follow up on this situation as the trespass has not been corrected to date. Steve reminded the Board that this correction requires the homeowner to pay survey and attorney fees related to this action.

Other Old Business – There was no other old business.

New Business – There was no new business.

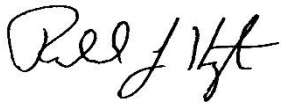
Public Comment – Doug asked for comment from the general public attending this remote meeting. Jim Fazzina said he was gratified to hear that the area east of the Broughel gate will now be treated as a walkway rather than as a road. Jim was also glad to hear that some expenses previously considered as part of the sewer project have now been moved to the storm drainage project. Jim asked how the source of funding would be indicated on the separate project plans. Doug responded that the professionals and engineers involved in these projects, both OCBCA's and the state's, will work to determine the appropriate source of funding for the different portions of

the projects. Janet stated that she believes that the project bids will indicate which funds pay for which portion.

NEXT MEETING - The next Board of Governor's meeting date is scheduled for March 10th. The meeting will be held with Zoom remote meeting software.

A motion (Kingston/Humes) was made to adjourn at 7:54 PM. The motion passed.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Rick / Ht'.

Richard Kingston

Clerk

February 16, 2021

Minutes Approved at March 10, 2021 Board of Governors Meeting

Results of Voting at the February 10, 2021 Old Colony Beach Club Association Board of Governors Meeting. Board of Governor Members present- Janet Montano, Gavin Cartiera, Nancy Zimmerman, Lester Webb, Steve Humes, Rich Kingston and Doug Whalen.

Forgive Finance Charges on One Remaining Tax Due: A motion (Whalen/Kingston) was made to waive additional finance charges if the member pays the outstanding tax of \$58.79 by June 30, 2021. There was no discussion. The motion passed unanimously.

Beach Cleaning and Swim Buoy Contract for 2021 thru 2023: A motion (Whalen/Montano) was made to accept the bid from H.S. Plaut Environmental Services for \$16,000 annually. The motion was defeated three votes for and four votes against.

A motion (Humes/Cartiera) was made to accept the bid from Anthony's Property Services, LLC for \$16,300 annually. The motion was passed four votes for and three votes against.

February 10, 2021
OCBCA Board of Governors Meeting

Attachment 1

Treasurer's Summary
OCBCA Board of Directors Meeting
February 10, 2021

| | |
|---------------------------|---|
| Balance July 1, 2020: | \$258,123.04 |
| | \$967,597.48 * |
| | (\$20.49) FY 2020 tax overpayment made in 2019* |
| | <u>\$16.98</u> FY 2020 tax overpayment credit* |
| Income: | \$967,593.97 |
| Expenses: | \$156,177.71 |
| Balance January 31, 2021: | \$1,069,539.30 |
| General Fund Checking | \$49,321.88 |
| General Fund MM Savings | \$188,371.85 |
| Capital Fund MM Savings | \$115,604.50 |
| Capital Loan MM Savings | <u>\$716,241.07</u> |
| Balance January 31, 2021 | \$1,069,539.30 |

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