

April 14, 2021

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

The meeting was called to order at 6:35 PM by the Board Chair, Douglas Whalen. Board members attended by means of Zoom videoconference software.

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

Member absent – Gavin Cartiera

Members of the Public: Harvey Schiller, John Newson, and Joe Frutuoso

Approval of 3/10/2021 Board of Governors Meeting Minutes: A motion was made (Zimmerman/Humes) to approve the March 10, 2021 Board of Governors Meeting minutes. There was no discussion. The motion passed unanimously.

Treasurers Report (Janet Montano): Janet presented the Treasurers Summary for the period ending March 31, 2021 (Attachment 1). Janet stated that the Treasurers Summary for February 28, 2021 will not be put to a vote as a more up-to-date summary is now available. Janet explained that a difference in the totals reported at last month's meeting was due to a timing issue. Janet then presented the Treasurers Summary for March 31. A motion (Kingston/Zimmerman) was made to adopt the March 31, 2021 Treasurers Summary as presented. The motion passed unanimously.

Action Items Update: Rich reported that the following Action Items remain open as of this date as follows: Item #70 – Review List of Fines is agenda item IX later in this meeting and Item #72 – Work with Attorney to Develop Collections Procedure will be addressed under this same agenda item. Item #73 – Explore Possibility of Using Scan Codes is agenda item VIII to be addressed later in this meeting. Item #74 – Suggest Process for Assigning Boat Spaces is agenda item X to be addressed later in this meeting. Item #75 – Ask the Homeowner on the Corner of Broughel & Gorton to Trim the Bushes is assigned to Doug. Doug reported that this issue is still outstanding. Finally, Item #76 – Develop a Procedure to Authenticate Association Website Membership is assigned to Rich. Rich reported that he and Joe Frutuoso are still working on this item.

Rich then reviewed the list of "Suggestions during Public Comment." Rich stated that there were two suggestions marked as current. Item #6, Revise

Beach Pass System, is on this month's agenda as Item VIII to be addressed later in the meeting. Finally, Rich noted that Item #8, Require Mail Trucks to Turn Around to Allow Gates to be Closed had been assigned to Lester. Lester reported that he has spoken to the Old Lyme Postmaster who has asked the Association to provide him with the combination for the road gate locks and he will have his mail person open and close the gates when delivering mail as necessary. Doug will ask Angie, who opened the gates last year, if she would still be willing to open and close the gates for trash and recycling. Doug stated that he and Lester will sit down and develop a schedule for gate openings and closings.

Committee Reports-

Chairman's Report (Doug Whalen): Doug reported that all of his matters to report are contained in subsequent agenda items.

Clerk's Report (Rich Kingston): Rich reported that the pastor of the Shoreline Church has agreed to allow the Association to use the building for a June 5th General Membership meeting.

Tax Collector (Nancy Zimmerman): Nancy reported that she has nothing to report.

Recreation (Gavin Cartiera): In Gavin's absence, Doug reported that there will be a recreation schedule to discuss at the May meeting but there are no topics to address at this meeting.

Public Safety (Steve Humes): Steve reported that he had nothing new to report.

Public Works (Lester Webb): Lester reported that he had spoken to Tower Landscaping about continuing to perform this summer's landscaping and next winter's snow plowing contracts at the same price and with the same conditions. Tower has agreed to hold their price at last year's contract levels in both instances. Doug reported that he understood that the snowplowing service for this winter was satisfactory after the problems with the first snow plowing were addressed. Lester was very happy with Tower's response to his phone calls. A motion (Humes/Montano) was made to approve contracts with Tower Landscaping to perform 2021 landscaping services and to perform snow plowing services for the 2021/2022 winter season. There was no discussion. The motion passed unanimously. Rich will work with Lester to put these contracts into final form. Lester also reported that one of the wheels on the Brookside Avenue gate needs to be replaced. Lester stated that he had received a request for a swing at the volleyball area of the beach. Lester will share that request with the Board for

discussion at the May meeting. Lester stated that Pat DiPinto, the owner of 75 Old Colony Road, had requested that a no parking sign be placed near the guard shack. Lester said he was approached by Harry Plaut about the Association's intentions in regards to this summer's swim buoy contract. Both Doug and Lester reported that they told Harry that OCBCA's expectation is that he will perform this year's work in accordance with the existing contract with his firm.

WPCA Report - Steve Humes reported that terrific progress has been made getting the bid contract for the shared sewer infrastructure approved by DEEP. The bid for these services will be going out to bid next Monday. Steve also reported that the bid process for internal OCBCA infrastructure work will take more time. Doug added that he has been told by the Fuss & O'Neill representative that once the Association's completes a list of tasks assigned by DEEP the bid for our internal improvements should be able to follow shortly behind. Doug stated that he has been advised that the projected date for a Notice of Award to be issued to the chosen contractor is June 17. Doug reported that an agreement with the New London sewer treatment facility to add the town of Old Lyme to the existing three beach agreement has been reached. A motion (Humes/Kingston) was made to allow the Chairman, Doug Whalen, to sign the amended agreement as the Old Colony Beach Club Association representative to add the town of Old Lyme into the existing agreement. Steve stated that he has reviewed the agreement and he is satisfied with it. The motion passed unanimously.

Beach Pass Distribution Protocol & Loss Pass Replacement

Procedure – Janet reported that she revised the draft beach pass procedure that was introduced at last month's Board meeting (Attachment 2) to remove any reference to scanning. She also reported that she changed the draft newsletter article to reflect the same changes and to alter the color of the passes from gold to orange. Janet stated that there would be a sign out sheet for members to sign when they receive their passes. Each pass will have a number on the back. Rich reported that he thought that including a scan code would be superfluous as the guard will be checking both the address on the front of the pass and the control number on the back of the pass. The guard can be given a reference sheet listing those passes which are no longer valid due to being replaced due to loss or theft and can then act accordingly. Doug stated that he had suggested \$5 to replace a beach pass but was interested in what other Board members thought about this amount. Rich stated that he thought the \$5 fee was a good amount as long as the guards do a good job checking the passes on the beach. Rich was concerned that if the guards don't do a good job members could obtain more than two passes for each living unit by simply reporting the pass lost and paying the nominal \$5 fee. Doug suggested that Board members walk the

beach once a month to perform the process of checking passes. Janet noted that the draft procedure allows members to apply to the Board for additional passes. The Board would then make the decision whether to issue the additional passes. A motion (Montano/Webb) was made to approve the beach pass procedure as drafted by Doug and amended by Janet. There was no discussion. The motion passed unanimously. Doug noted that Janet made revisions to an article that will appear in the newsletter explaining the new procedure.

Update to Fines for Violations & New Collection Procedure – Rich explained that he had sent out a revised list of fines (Attachment 3) to the Board members on April 4 for their final review and approval. Rich explained that the Board sets the infraction limits per the language of the Charter. A motion (Kingston/Montano) was made to approve the revised list of fines as presented. Doug thanked Gavin and Rich for their work on this issue. There was no further discussion. The motion passed unanimously. Steve noted that he is still working with the Association's attorney on a collection process for delinquent fines.

Summer Boat Storage on Beach – Doug stated that he had received an email about boat storage near the beach. Rich noted that the email in question was asking about kayak and paddleboard storage, specifically the wooden rack near the Sheffield Brook outlet. Janet suggested that the wooden rack be moved to the west end of the beach and use the PVC pipe racks in this location. Doug noted that the existing ones need to be repaired. Rich added that a resident has offered to purchase all of the materials needed to make additional racks if the wooden one was relocated elsewhere. Doug suggested that moving the wooden rack might be the best solution and make additional ones as necessary out of PVC pipe. Janet and Rich endorsed this idea. The Board's consensus was that moving the wooden rack to the west side of the beach was the best solution. Doug stated that this rack could be moved in May during the beach levelling work. Janet noted that, in the same e-mail, the owners of 23 Hartung Place informed the Board that they have had their property surveyed and that they would be constructing a fence along the beach and Brookside Avenue. Janet suggested that the Board have one its members speak to the owners about this issue. Doug asked Rich and Lester to speak with the owners. Doug noted that the intersection of Brookside Avenue and Hartung Place will be having a lot of work done to accommodate the sewer line, the storm drain, and the relocated water line. This work may impact the owners of 23 Hartung Place. Rich brought up the subject of boat storage. Doug stated that there were three spots for boats last year. Rich suggested that the Board may have to conduct a lottery to fairly assign these spaces for the coming

season. Doug stated that there is room on the west side of the beach to store three additional boats.

2022 Budget Review – Doug stated that he had previously emailed a copy of the final revision to the FY2022 Budget to the Board members (Attachment 4). Doug noted that Janet suggested that three of the Interest Revenue lines in the budget were estimated too high as recent interest rates are extremely low. In order to accommodate those changes Doug stated that he had reduced the Recreation budget by a corresponding amount of \$250. A motion (Kingston/Montano) was made to give Board approval to the 2022 Budget with those changes for consideration by the membership at the June Semi-Annual General Membership meeting. There was no discussion. The motion passed unanimously.

Discussion and Approval of June 5th General Membership Meeting – Doug stated that he believes that meeting earlier than normal would be beneficial this year due to recent WPCA developments and other matters that need the membership's attention. A motion (Whalen/Zimmerman) was made to hold the June Semi-Annual General Membership meeting at the Shoreline Church on Saturday, June 5th. There was no discussion. The motion passed unanimously. Doug would like this meeting to be in person but also have a Zoom component for members to attend remotely. Rich noted that the meeting materials need to be mailed ten days prior to the General Membership meeting. Doug stated that he and Rich would have a draft meeting agenda ready for discussion at the May 12th Board meeting.

Old Business –

19 Hartung Place Update: Doug stated that he sent an email to Board members today to advise them that the homeowner of 19 Hartung Place have promised that they will make the necessary changes to the property line before the summer months. Doug noted that the owner has been advised that all related costs incurred by the Board will be recovered. The Board agreed to have the Association's attorney advise the homeowner that the work to bring in the patio into land boundary compliance needs to be completed by Memorial Day.

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. Joe Frutuoso thanked Janet for her efforts related to the issuing of new beach passes. Joe asked the Board to provide the reason for the use of the kayak and paddleboard racks and why those

racks are placed at the boat launch. Joe wanted to know why the racks are so important and why there are so many of them. Joe is also concerned with the Association assuming responsibility for the repair of these racks when they are damaged. Harvey Schiller wanted to make sure that the new snow plowing contract is for the period 2021/2022. Harvey suggested storing the paddleboard racks in a secure location during the winter to prevent damage due to the cold temperatures. Joe stated that he is concerned about use of the Shoreline Church during the pandemic.

NEXT MEETING - The next Board of Governor's meeting date is scheduled for May 12. The meeting may be held in person at a location TBD and will also be held with Zoom remote meeting software.

A motion (Kingston/Zimmerman) was made to adjourn at 7:50 PM. The motion passed.

Respectfully submitted

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

Richard Kingston
Clerk
April 20, 2021

Minutes Approved at May 12, 2021 Board of Governors Meeting

Results of Voting at the April 14, 2021 Old Colony Beach Club Association Board of Governors Meeting. Board of Governor Members present- Janet Montano, Nancy Zimmerman, Lester Webb, Steve Humes, Rich Kingston and Doug Whalen.

2021 Landscaping Services and 2021/2022 Winter Snow Plowing

Services: A motion (Humes/Montano) was made to approve contracts with Tower Landscaping to perform 2021 landscaping services and to perform snow plowing services for the 2021/2022 winter season. There was no discussion. The motion passed unanimously.

Authorization to Sign Amendment 1 to Existing Agreement with the New London Sewer Treatment Department:

A motion (Humes/Kingston) was made to allow the Chairman, Doug Whalen, to sign the amended agreement as the Old Colony Beach Club Association representative to add the town of Old Lyme into the existing agreement. Steve stated that he has reviewed the agreement and he is satisfied with it. The motion passed unanimously.

Beach Pass Procedure: A motion (Montano/Webb) was made to approve the beach pass procedure (Attachment 2) as drafted by Doug and amended by Janet. There was no discussion. The motion passed unanimously.

Update to Fines for Violations –A motion (Kingston/Montano) was made to approve the revised list of fines as presented (Attachment 3). Doug thanked Gavin and Rich for their work on this issue. There was no further discussion. The motion passed unanimously.

2022 Budget Review –A motion (Kingston/Montano) was made to give Board approval to the 2022 Budget with changes (Attachment 4) for consideration by the membership at the June Semi-Annual General Membership meeting. There was no discussion. The motion passed unanimously.

Approval of June 5th General Membership Meeting – A motion (Whalen/Zimmerman) was made to hold the June Semi-Annual General Membership meeting at the Shoreline Church on Saturday, June 5th. There was no discussion. The motion passed unanimously.

April 14, 2021
OCBCA Board of Governors Meeting

Attachment 1

Treasurer's Summary
OCBCA Board of Directors Meeting
April 14, 2021

Balance July 1, 2020:	\$258,123.04
	\$971,814.53 *
	(\$20.49) FY 2020 tax overpayment made in 2019*
	<u>\$16.98</u> FY 2020 tax overpayment credit*
Income:	\$971,811.02
Expenses:	\$176,787.86
Balance March 31, 2021:	\$1,053,146.20
General Fund Checking	\$45,937.13
General Fund MM Savings	\$188,377.94
Capital Fund MM Savings	\$104,196.94
Capital Loan MM Savings	<u>\$714,634.19</u>
Balance March 31, 2021	\$1,053,146.20

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

Attachment 2

OCBCA Beach Pass policy

Old Colony Beach Club Association has instituted a beach pass program that requires all residents using the beach at OCBCA to have an approved OCBCA beach pass in their possession, (1) beach pass may be used for a group of residents sitting together.

The approved Beach pass will be a colored 6" x 9" laminated pass that has the OCBCA Logo and a coded address on the front of the pass. On the back of the beach pass will be the rules and regulations along with a **number** code that will identify the address the pass was issued to. The OCBCA Board of Governors (BOG) will determine the color of the beach pass for a specific year and only that color will be allowed. Any other colored pass or picture of beach passes on a phone will not be allowed as an approved beach pass.

The Board of Governors will issue the beach passes by address. There will be (2) beach passes issued to each address in OCBCA and residents on the east side or even numbered side of Swan Ave. An additional (2) beach passes will be issued for any additional buildings or duplexes on the same address. Any request for additional beach passes must go through the BOG for approval by the Board.

Any beach pass that is lost or stolen must be reported to the BOG immediately by calling the security phone (860)215-5052 or Email- chairman@oldcolonybeach.org, provide the address the pass was assigned to and when it was lost or stolen. That pass will be identified as lost or stolen and security will be able to identify it when **checking** passes on the beach. If the pass is identified on the beach the person(s) with the beach pass will be asked to leave the beach and the beach pass will be confiscated by security.

A lost or stolen beach pass replacement program will allow a resident to obtain a new beach pass at the cost of \$5.00 per pass after reporting the pass lost or stolen. Any additional passes that are approved by the BOG above the minimum issued passes will cost \$5.00 per pass.

Attachment 3

List of Fines for Violation of OCBCA Charter and Ordinances

Approved by Board of Governors – April 14, 2021 in accordance with Section 8 of OCBCA Charter

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 (Sec. 14 & 15 of Charter, Chs. 2.1 to 2.5; 2.9; 3.1; 4.1 .6.3; 7.1 & 7.2 of Ordinances)	\$50 per day
Damage to Lights of Any Public Lamp (Ch. 6.5)	\$50 per instance
<i>Fine may be in addition to cost of remediation per Sections 14 and 15 of Charter.</i>	
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
Ball Playing on Beach Outside of Designated Area (Ch. 6.6)	\$20 per instance
Operation of Non-OCBCA Registered Vehicle (Ch. 8.9 of Ordinances)	\$50 per instance
Un-authorized Construction from July 1 st through Labor Day (Ch. 6.9 of Ordinances)	\$50 first day
<u>Daily Fine Doubles every 5 Day Period for continuous construction after Day 1</u> \$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.	

List of Fines for Violation of OCBCA Charter and Ordinances

All violations of the Old Colony Beach Club Association's Charter or Ordinances which do not appear specifically in the List of Fines for Violations will be assessed at \$20 per instance.

The Old Colony Beach Club Association Board of Governors reserves the right to add to the List of Fines for Violations as future circumstances dictate. Any such addition must stipulate the pertinent section of the Charter or Ordinances that applies and be approved by a majority vote of the Old Colony Beach Club Association Board of Governors.

April 14, 2021
OCBCA Board of Governors Meeting

Attachment 4

**Old Colony Beach Club Association 2022 Fiscal Year Proposed Budget
and Actual Expenditures to 3/31/2021**

	Actual FY 2018	Actual FY 2019	Actual FY2020	Budget FY 2021 APPROVED	Actual 3/31/2021	Budget FY 2022 Proposed
Revenues						
Property Taxes + finance charges	144,654.63	144,033.74	144,300.59	163,000.00	163,615.26	186,300.00
Town of Old Lyme	8,900.00	8,700.00	8,645.00	8,900.00	8,550.00	8,900.00
Vendor Fees	500.00	500.00	500.00	500.00	500.00	500.00
Reimbursement for Liens & Lien Releases						
Registrations	650.00	510.00	700.00	100.00	300.00	100.00
Reimbursement for Bank Charge			30.00			
Gate Swipe Cards	350.00	315.00	370.00	100.00	115.00	100.00
Fines	40.00	20.00			142.24	
Sign damage payment		80.00				
Boat storage cost			100.00		100.00	
Beach Cleaning Donations					575.00	
Federation 1/2 dues returned	289.50	289.50	289.50			
Federation donation for defibulator			1,500.00			
Interest Income General Fund	205.22	239.47	189.25	150.00	53.66	40.00
Interest Income Capital Account	164.37	180.73	126.22	100.00	41.29	20.00
Interest Income Loan Account					341.08	340.00
Webster General Obligation Note					796,250.00	
State of Connecticut grant money	18,975.38					
Old Lyme Shores 1/2 cost Sheffield Brook	52,176.59		2,360.75		800.00	
Purtill 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	431.00	200.00
Total Revenues	246,041.69	163,101.44	166,397.31	173,050.00	971,814.53	196,500.00
Expenditures General Fund						
Public Safety	25,394.72	27,112.73	34,942.65	36,000.00	30,387.97	38,500.00
Public Works	33,963.98	38,586.43	37,690.06	36,000.00	30,731.77	36,000.00
Insurance	5,439.00	5,718.00	5,955.00	7,000.00	5,287.32	7,000.00
General Administration	6,471.85	4,268.73	8,005.37	7,000.00	1,843.32	7,000.00
Electricity	5,295.42	5,758.72	5,670.06	6,400.00	3,485.01	6,400.00
Fire Protection (Hydrants)	10,068.06	10,584.32	10,654.83	12,000.00	8,309.43	12,000.00
Recreation	9,691.03	8,368.42	4,211.33	3,550.00	120.00	3,300.00
Raffle	778.73	503.64	473.97			
Merchandise	1,820.50	1,117.00	3,242.50	500.00		500.00
Professional Fees	13,281.00	3,107.50	10,282.50	16,200.00	2,150.00	15,400.00
Donations	200.00	200.00	200.00	200.00		200.00
Property Taxes	920.92	927.70	948.86	1,200.00	1,105.04	1,200.00
Subtotal	113,325.21	106,233.19	122,277.13	126,050.00	83,419.86	127,500.00
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 & Design			56,100.00		58,379.00	
Stormwater Project (Loan Funds)					23,577.89	
Stormwater Loan Interest					11,411.11	69,000.00
Fencing	1,399.68					
Sheffield Brook	44,420.03					
Subtotal	67,819.71	22,000.00	56,100.00	47,000.00	93,368.00	69,000.00
Total	181,144.92	128,233.19	178,377.13	173,050.00	176,787.86	196,500.00
Mill Rate	3.25	3.25	3.25	3.50	3.50	4.00
Profit/Loss	64,896.77	34,868.25	(11,979.82)			

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