

OLD COLONY BEACH CLUB ASSOCIATION
SEMI-ANNUAL MEETING
SATURDAY, SEPTEMBER 11, 2021
SHORELINE CHURCH, 287 SHORE RD., OLD LYME

Old Colony Beach Club Association Semi-Annual Meeting

The meeting was called to order at 6:34 p.m. by Board Chairperson Doug Whalen. Doug requested a moment of silence to remember the September 11, 2001 victims, all of the Association residents who have passed away during the past year, and for personal loved ones who have also passed. Doug then led the membership in reciting the Pledge of Allegiance. At this time Doug encouraged all Association members to use the two public comment sections of the meeting agenda to express any concerns that they may have over the operation of the Association. The Association Clerk confirmed that there was a quorum present.

Approval of June 5, 2021 Semi-Annual Meeting Minutes: A motion was made (Joel Zimmerman/Linda Humes) to approve the June 5, 2021 meeting minutes as presented. Jim Fazzina expressed his concern that the whole of his comments made at the June 5, 2020 meeting were not reflected in the minutes. Jim stated that, although his question about how the Coastal Jurisdiction Line was determined, he believes that more context must be added to his question. Doug asked Rich to review the tape of the June 5th meeting and reflect Jim's question in its entirety. With this comment Doug asked for a vote on the motion. The motion passed unanimously.

Board of Director's report:

Chairman's Report: Doug began his report by thanking the Board and others for their work this year. Doug then reviewed his submitted report (Attachment 1) for the membership.

Treasurer's Summary: Janet began her report by expressing her concern about the high cost of replacement stop signs, Janet would like to see the current sign design be replaced by the traditional metal stop sign. Janet then presented a Treasurers Summary for the period ending September 11, 2021 (Attachment 2). Janet noted that the full Treasurers Report, a budget sheet, and a detail of transactions by account would be posted to the Association's website.

Clerk's Report: Rich Kingston asked those present to turn in any proxies that they were holding. Rich explained that this would make it easier to count votes if needed. Doug asked that any outstanding proxies be turned in now. There was no response from the membership.

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Tax Collector Report: Nancy Zimmerman reported that \$183,270.80 has been collected in taxes. Nancy also reported that there are still eight (8) outstanding tax bills to be paid totaling \$5,951.25. Nancy stated that if taxes for this year are not paid by July 1, 2022 liens will be placed on the delinquent taxpayer's property.

Director of Public Works Report: Lester Webb thanked Doug for all the support he has given him during the summer. Lester reported that he did not receive any negative reports about the quality of the beach cleaning. Lester stated that he is very pleased with the beach cleaner's performance. Doug noted that this contractor has been signed to a contract which lasts into 2023. Lester offered that the beach trash and recycle barrels are being used to dispose of household trash in the beach containers. Doug stated that this year's use of the recycle bins was a pilot project and its possible continuance will be addressed by the Board. Lester said that he would like neighbors to bring in their neighbors trash cans when it is apparent that no one is around to take the cans off the street. Lester informed the membership that last year's snow plow contractor has been retained for this coming winter. Lester stated that he agreed with Janet that stop signs need to be replaced by a generic stop sign rather than the designed one currently in use to save money. Doug added that the overgrowth in the easement area of Sheffield Brook will be addressed this winter. Doug said that the necessary brush cutting could bring wildflowers in the spring.

Director of Public Safety Report: Steve Humes reported that he is aware of problems reported concerning the performance of the security guards this summer. Steve said that he believes it is time to reevaluate the use of security guards. Steve stated the one suggestion was to request the town of Old Lyme allow us to use their Beach Rangers to patrol our beach.

Entertainment Director Report: In Gavin Cartiera's absence Doug delivered this report. Doug started by thanking Gavin for his many years of service to the Association and to the Board. Doug then informed the membership that Gavin has resigned from the Board for personal reasons. Doug reported that as a result there is now a third opening on the Board that needs to be filled.

Public Comment – Lenny Gregorian stated that he does not feel that the beach cleaning contractor is doing a great job. Lenny is also concerned that the distance from the shore to where the swim buoys are set is not enough. Jim Fazzino stated that he had reviewed the Board's letter about using OCBCA property without formal permission and he felt that it was too broad an interpretation of the Charter documents. Rich explained that the letter was written to address a new development in how OCBCA owned land is being used. Doug explained that the new development Rich mentioned was that private homeowners were placing

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palms trees on the Association owned beach without permission. Frank Noe commented that the condition of the trash cans on the beach was not good. Doug stated that after the sewers are installed the design for the new streets will improve site lines at all corners and end the need for any "one way" streets.

FY2020 Budget Year End Balance Transfer – Doug read the language for the FY2021 Budget Year End Balance Transfer (Attachment 3). A motion (Frank Nicotera/Bruce Sievers) was made to effect the needed transfer of funds in the amounts of \$2,513.83 and \$5,695.85 respectively. There was no discussion. The motion passed.

Board of Governors Nominations – Doug turned the meeting over to Rich Kingston, Association Clerk, to conduct the election for the two expiring Board positions. Rich informed the membership that the current terms of Steve Humes and Rich Kingston will expire at the end of this meeting. Rich stated that he had received one request to nominate Association member John Newson. Rich endorsed that request and explained to the membership the situation that has arisen as a result of Gavin Cartiera's resignation from the Board. Rich stated that the Charter requires the vacant Board position to be filled with the unsuccessful Board candidate who had the most amount of votes among those who were not elected. Rich stated that meant if we have more than two candidates to fill the currently vacant positions the third vote getter would be subsequently appointed the Board per Charter requirements. Rich also informed the membership that the Board members individual positions, e.g. Chair, Treasurer, etc. are determined at the first Board meeting after the General Membership meeting. After stating that Steve Humes would like to continue to serve on the Board Rich then asked for nominations from the floor. Doug Whalen and Janet Montano then nominated Rich Kingston. Rich then explained that he would like to finish his time on the Board after serving for twelve (12) years but he agreed to continue if a third candidate is not nominated. There were no other nominations. Rich then closed nominations. The following candidates stood for election with their nominating member's names noted after the name. The following candidates were nominated: Rich Kingston (Doug Whalen/Janet Montano), Steve Humes (Janet Montano/Doug Whalen), and John Newson (Rich Kingston/Frank Noe). A paper ballot was used to select the new Board members. While the vote count was being finalized Doug asked Frank Noe to present the Water Pollution Control Authority committee report at this time. *{The final vote count was presented at the end of the Water Pollution Control Authority report}*. Rich announced the results of the voting: Steve Humes received 38 votes, John Newson received 30, and Rich Kingston received 22. Rich announced that Steve and John have been elected to the Board for three year terms.

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Committee Reports-

Water Pollution Control Authority – Frank Noe, the chairperson of the Water Pollution Control Authority (WPCA), began his presentation by describing the activities of the WPCA since his last report at the June 5, 2021 General Membership meeting. Frank explained that the shared infrastructure portion of the project involved the connection from Old Lyme Shores which will traverse Hartung Place into Soundview Beach, and then to the pump station on Pond Road in Miami Beach. The force main from the pump station to Route 156 and then to the East Lyme connection is also part of the project. Frank explained that the invitation to bid is broken into three parts, the first is the sewer line from Sheffield Brook to the Pond Avenue pumping station, the second is for construction of the pump station itself, and the third part is the force main travelling from the pump station to the East Lyme sewer connection. Frank informed the membership that the bids for this work went out on August 20th and that a pre-bid meeting had been held on September 8th. Frank stated that the WPCA had reached out to thirty (30) prospective bidders and that eight contractors attended the pre-bid meeting. Frank said that the bid for the internal OCBCA specific infrastructure, had gone out to bid on August 27th. Frank stated that all of the bids, for both the internal and external infrastructure, are due back on October 15th. Frank stated the WPCA has been reaching out for political and financial support. Frank then asked for questions from the floor.

One of the members asked Frank if the issue about grinder pumps and Soundview Beach would delay the process at hand. Frank responded that he was aware of the issue but he stated that it does not impact Old Colony Beach. There was also a question from the floor regarding an uncashed check written to AMTRAK. Doug explained that the check in question has been cancelled as a replacement check had to be issued. Doug noted that the first check was for \$1,500 while the second was for \$750, a cost savings. Someone from the floor asked if advertisements for the bids were posted in the papers. Frank answered in the affirmative. Frank stated that the ads ran in the Hartford Courant, the New London Day, and on three on-line sites used to bid these types of projects. Doug stated that the bids can be viewed at the website projectdog.com. Another member asked if the homeowners with wells will know when they have to abandon their wells. The homeowner was interested to know in which order streets would be hooked up to the new sewer system. Doug said that once the order was known it would be shared with homeowners. Doug stated that arrangements will be made to allow members access to their properties while their street are under active construction. A member from the floor asked about the process for awarding the bids. Frank explained how the process worked. He also explained that once a low bidder was determined "due diligence" would be performed prior to awarding the bid to ensure that the low bidder can

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successfully perform the necessary work. A member from the floor asked if the \$13 million bond would be sufficient to cover the necessary work. Frank explained that he believed that it would but that the WPCA would make that final determination. It would also require the Association to no longer serve as the payer for all the other beaches, all costs of which are reimbursed by those beaches. In answer to a question Frank stated that the benefit assessment to each home would be explained at a public hearing and homeowners would have a right to appeal their assessed cost. Doug stated that the \$13 million bond approved by the membership includes all the necessary funding including grant monies totaling 25% of the project that the Association has secured and which won't be assessed to members. Doug stated that the \$13 million figure also includes the storm drains and all the necessary work related to sewer installation. Frank stated that he believes that the \$1,800 per year that was originally presented to the membership will be very close to final figure which has yet to be determined. Rich Kingston said he wanted to clarify what was just said about the projected annual per unit cost of the project. Rich stated that the \$1,800 figure in 2012 when the project was first presented included the storm drain improvement as part of the project. Rich said that since the Clean Water Funds being used could not be used for storm drains that portion of the project was removed from the sewer project and the necessary funds were obtained separately and that the cost of this loan for the storm drain repairs is now part of the annual assessment in OCBCA's annual taxes. Rich's point is that it is not accurate to state that the estimate personal cost to each homeowner is consistent with what was first proposed in 2012. Doug stated that he believes the final cost per year per home will be close to the number presented earlier. Doug told the membership that the WPCA is pursuing grant funds to assist with the cost of the storm drain project. Peter Zielinski on Zoom asked if individual homeowners could contribute information for the storm drain project. Doug replied that the design of storm drain improvement project has been completed. The same member asked if there was a possibility that the WPCA would provide ways in which members who have to abandon their wells could take advantage of a group discount rather than making individual arrangements. Doug stated that the WPCA had a list of contractors who have agreed to work in the community to do this type of work. Doug said that if a homeowner needed to connect to the Connecticut Water pipes when they abandon their well they must do so on their own. The member then stated that there are other costs associated with abandoning wells and connecting to Connecticut Water and he believes that there is benefit in using the same contractor to do multiple homes in the community. Doug wanted to make clear that the decision to abandon wells was not made by the WPCA or anyone at OCBCA but rather by the local health district. Frank stated that there are only three or four homes who do not currently have a hookup to Connecticut Water. Frank offered to share that information if the resident asking the question would send an email to formally ask for this information. Frank stated, in reply to a

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question, that information regarding available local contractors to allow homeowners to hook up to the sewers would be provided at a later date. Jim Fazzino asked about the different costs such as road site line improvements that are included over and above sewers themselves in the sewer project and by what authority those items were added to the project. Doug replied that the state Department of Energy and Environmental Protection had approved all costs that are included in this project. When Jim tried to expand on his question Doug stated that the answer to that question had been given many times and that there was no need to continue in this vein. At this time Jim Fazzino left the meeting under protest. One of the members asked if the cost of the individual laterals for each property was included in the project. Doug answered that it was not and that the laterals are the responsibility of the individual homeowners.

Old Business – Doug asked if there was any Old Business. There was none.

New Business

Old Colony Beach Lending Library – Doug read an email he received from resident Gina Carbone suggesting that a free lending library be established to provide reading materials free of charge to members. Gina explained that “take a book, leave a book,” has been around for many years. Gina would like to participate in a committee to establish a location for this library. She even suggested using an old row boat or canoe to house the books. A motion (Donna Maselli/Jason Frechette) was made to form a committee to explore the possibility of establishing such a library and to appoint Gina Carbone as chairperson of this subcommittee. There was no discussion. The motion passed unanimously. Doug asked members to volunteer to serve on this subcommittee.

Public Comment – Doug asked if there was anyone present who would like to make a public comment. Rosemary Lombard asked if the minutes could reflect how many members attended by Zoom. Rich Kingston then read an email sent to him by Joe Frutuoso, an OCBCA member who could not attend this meeting, regarding the poor performance of the security guards this summer. Joe also expressed his concern that the use of the town’s Beach Rangers would not lead to any improvement in this situation. Joe would also like to see beach passes given to non-residents, i.e. Soundview Beach homeowners who live on the east side of this Swan Avenue, reissued every year.

Next Meeting – The next OCBCA General Membership meeting will be held at the Shoreline Church at 6:30 PM on a yet to be determined Saturday in June of 2022.

Adjournment: A motion (Linda Humes/Nancy Zimmerman) was made to adjourn. The meeting was adjourned by acclamation at 8:23 PM.

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Minutes recorded by:

A handwritten signature in black ink, appearing to read "Richard Kingston". The signature is written in a cursive, flowing style.

Richard Kingston, Clerk
October 21, 2021

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Results of Voting at the September 11, 2021 Old Colony Beach Club Association Semi-Annual General Membership Meeting

FY2020 Budget Year End Balance Transfer – Doug read the language for the FY2021 Budget Year End Balance Transfer (Attachment 3). A motion (Frank Nicotera/Bruce Sievers) was made to effect the needed transfer of funds in the amounts of \$2,513.83 and \$5,695.85 respectively. There was no discussion. The motion passed.

Board of Governors Nominations - Board of Directors Nominations – Doug turned the meeting over to Rich Kingston, Association Clerk, to conduct the election for the two expiring Board positions. Rich informed the membership that the terms of Doug Whalen and Gavin Cartiera have ended. Rich stated that both of these individuals had indicated that would be willing to serve another three year term on the Board. Rich stated that he had not received any other nominations prior to this meeting and then asked if anyone at the meeting would like to nominate someone. Rich noted that there were no other nominations and as a result, as Clerk, he would cast one vote for Douglas Whalen and one vote for Gavin Cartiera. Rich explained that at the next Board of Governors meeting officer and director positions would be decided upon. Rich turned the meeting back to Doug.

Old Colony Beach Lending Library –A motion (Donna Maselli/Jason Frechette) was made to form a committee to explore the possibility of establishing such a library and to appoint Gina Carbone as chairperson of this subcommittee. There was no discussion. The motion passed unanimously.

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Attachment 1

OCBCA Chairman's report for 9-11-21 Membership meeting

- Worked with Les Webb to monitor front entrance gate closings after Tuesday recycle. Gates closed from Tuesday afternoon through Sunday night. Sunday night Security opens gates during evening shift for Monday & Tuesday refuse & recycle pick-up.
- Worked with Les Webb to monitor putting back garbage & recycle cans on the beach entrances every Monday & Tuesday. Cans are washed out every 3-weeks and new liners put in cans.
- Monitored Saturday night movies on the beach, put out signs on Wednesday, send movie flyer to webmaster for email blast, setup, monitor, and take down movie equipment Saturday night.
- Put out sandcastle contest flyers, made up ice cream certificates, conducted contest & distributed ribbons with Gavin Cartiera.
- In the spring washed all the street signs & stop signs to remove mold off signs
- Handling request for clothing by residents, taking inventory of merchandise, ordering out of stock clothing and special orders.
- Providing gate cards & window stickers to residents. Monitoring supply and ordering new supply when needed.
- Working with WPCA, Fuss & O'Neill & Amtrak on sewer project issues. Working with Frank Noe on DEEP issues, contacting OCBCA insurance agent for clarification of special coverage issues for Amtrak project, signing invoices for Fuss & O'Neill & DEEP. Attended numerous meetings related to sewers.
- Provided letter to Connecticut's State & Federal Representatives & Senators requesting additional funding for sewer project. Attended conference calls with Tim Griswold regarding additional grant funding.
- Monitored beach during weekday checking for beach passes. Beach pass compliance was approx. 95%, those people that did not have a beach pass were asked to go back to house and get beach pass. A few people were escorted off the beach and directed to the public beach.
- Did a maintenance check on the Association golf cart. Put water in the batteries, washed cart and checked it over for damage. No damage noted. Need rear view mirror.
- Cleaned out the guard shack on the beach, reorganized stored items inside, swept out sand & emptied garbage can.

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- Received approx. 50 calls from security on different issues during the summer, provided proper guidance to security.
- Called 911, DEEP Police & Old Lyme Police on beach related issues numerous times over the summer. Person drunk on beach, family & individuals not a member of beach would not leave beach area, loud noise from boats disturbing residents on beach and jet skis securing to swim line were a few of the issues police were contacted.
- Attended Federation of Beaches meetings. Working on issues with Federation of Beaches. Lack of support and lack of interest causing Federation to be stagnant. Looking for ideas to get Federation back active again.
- Attended Soundview commission meetings over the summer. Nothing to report related to OCBCA.
- Working with CWPM (refuse & recycle company) & Town of Old Lyme to get single day refuse & recycle pickup. CWPM is working with Town to get the same day for both refuse & recycle pickup. Contacted other beach communities for support on this issue.
- Monitored Sheffield Brook discharge area. Worked with Les Webb and Old Lyme Shores to keep brook outflow open and flowing properly. Took pictures of stream & outflow area before and after every severe storm that caused extreme high tides during the summer. Worked with Les Webb and Montano & Sons to open outlet when needed.
- Attended emergency management meetings for Storm Henri, helped residents before, during and after the storm.
- Removed beach signs & prepared the Association for the winter season. Les Webb will be working with Joe Frutuoso to move portable security shed to beach area.

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Attachment 2

**Old Colony Beach Club Association 2022 Fiscal Year Approved Budget
and Actual Expenditures to 9/11/2021**

	Actual FY 2018	Actual FY 2019	Actual FY2020	Actual FY 2021	Budget FY 2022	Actual 9/11/2021
					APPROVED	
Revenues						
Property Taxes + finance charges	144,654.83	144,033.74	144,300.59	163,615.26	186,300.00	183,270.86
Town of Old Lyme	8,900.00	8,700.00	8,645.00	8,550.00	8,900.00	4,517.00
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	550.00	100.00	300.00
Reimbursement for Bank Charge			30.00			
Gate Swipe Cards	350.00	315.00	370.00	275.00	100.00	80.00
Additional Beach Passes				70.00		75.00
Fines	40.00	20.00		142.24		20.00
Sign damage payment		80.00				144.27
Boat storage cost			100.00	100.00		
Beach Cleaning Donations				775.00		
Federation 1/2 dues returned	289.50	289.50	289.50			
Federation donation for defibrillator			1,500.00			4,520.76
Funds returned payment error						
Interest Income General Fund	205.22	239.47	189.25	63.06	40.00	6.40
Interest Income Capital Account	164.37	180.73	126.22	46.48	20.00	5.20
Interest Income Loan Account				430.12	340.00	60.52
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	4,356.50		
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	573.00	200.00	2,246.00
Total Revenues	246,041.69	163,101.44	166,397.31	976,296.66	196,500.00	195,746.01
Expenditures General Fund						
Public Safety	25,394.72	27,112.73	34,942.65	38,513.83	38,500.00	20,922.59
Public Works	33,963.98	38,586.43	37,690.06	41,695.85	36,000.00	10,427.80
Insurance	5,439.00	5,718.00	5,955.00	5,287.32	7,000.00	6,195.32
General Administration	6,471.85	4,268.73	8,005.37	6,689.05	7,000.00	6,292.09
Electricity	5,295.42	5,758.72	5,670.06	4,582.06	6,400.00	740.02
Fire Protection (Hydrants)	10,068.06	10,564.32	10,654.83	10,982.62	12,000.00	2,566.49
Recreation	9,691.03	8,368.42	4,211.33	306.28	3,300.00	725.00
Raffle	778.73	503.64	473.97			
Merchandise	1,820.50	1,117.00	3,242.50	860.97	500.00	2,408.12
Professional Fees	13,281.00	3,107.50	10,282.50	2,150.00	15,400.00	
Donations	200.00	200.00	200.00	100.00	200.00	
Property Taxes	920.92	927.70	948.86	1,105.04	1,200.00	1,109.80
Subtotal	113,325.21	106,233.19	122,277.13	112,273.02	127,500.00	51,387.23
Contingency Fund Capital Account	16,000.00	16,000.00	8,000.00	47,000.00		
General Fund Expenditures after \$ transfer	129,325.21	122,233.19	130,277.13	159,273.02		
Capital Improvements/Expenditures						
WPCA	22,000.00	22,000.00				
Stormwater Study & Design			56,100.00	58,379.00		
Stormwater Project (Loan Funds)				25,702.89		
Stormwater Loan Interest + Principal				11,411.11	69,000.00	56,688.50
Fencing	1,399.68					
Sheffield Brook	44,420.03					
Subtotal	67,819.71	22,000.00	56,100.00	95,493.00	69,000.00	56,688.50
Total	181,144.92	128,233.19	178,377.13	207,766.02	196,500.00	108,075.73
Mill Rate	3.25	3.25	3.25	3.50	4.00	4.00
Profit/Loss	64,896.77	34,868.25	(11,979.82)	768,530.64		

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Attachment 3



Voting Items for September 11, 2021 General Membership Meeting

1) Article VIII section 3- Authorization of unexpended balance from one appropriation to another appropriation to cover overages in Public Safety & Public Works.

Public Safety- overage \$2,513.83 (AED \$1,825.21 & Golf Cart Batteries \$935.94) Note- Association received \$1,500.00 from Federation of Beaches to cover cost of AED).

Public Works- overage \$5,695.85 (Guard shack roof \$1,500.00, Sheffield Brook cleanouts \$7,113.00. Note- we received \$4,356.50 from Old Lyme Shores Beach Association for 50% of cleanout cost)

YES

NO

2) Board of Governor elections- under Article IV section 2 two positions filled by the listed Board members are up for election. Vote for two of the three candidates.

- **Richard Kingston**
- **Steve Humes**
- **John Newson**