

**September 14, 2021**

**Old Colony Beach Club Association Board of Governors Meeting**

The meeting was called to order at 6:36 PM by the Board Chair, Douglas Whalen. Board members attended in person at 41 Old Colony Road, Old Lyme and by means of Zoom videoconference software.

**ATTENDANCE:** Members present- Janet Montano, Nancy Zimmerman, John Newson, Lester Webb, Steve Humes, and Doug Whalen.

Member absent - None

Members of the Public: Joe Frutuoso and Harvey Schiller

**Approval of 8/11/2021 Board of Governors Meeting Minutes:** A motion was made (Montano/Humes) to approve the August 11, 2021 Board of Governors Meeting minutes. There was no discussion. The motion passed with one abstention (John Newson, a newly elected Board member, was not a member of the Board at the time of the August meeting).

**Treasurers Report (Janet Montano):** Janet stated that she is presenting the same Treasurers Summary ending September 11 that she had provided at the Saturday, September 11 General Membership meeting. (Attachment 1). Doug stated that he reviewed Roberts Rules of Order and he can confirm that the Treasurers Report does not need to be officially accepted by vote by the Board. Doug also remarked that a simple thank you to Janet will be sufficient.

**Action Items Update:** Doug stated that he did not have the Action Items Update available to him for this meeting. Steve stated that he remembered that one of the Action Items was for him to work with the Association's attorney to explore updating the by-laws of the WPCA. Steve reported that he does not have an update to this item as this time. Doug stated that he plans to have the Board review any suggested updates over the winter, adopt the necessary changes, and then have the membership vote to approve amending the WPCA by-laws at its June semi-annual meeting. Doug noted that one of the suggested changes that will be discussed is to add two alternate members to the existing seven member WPCA.

**Correspondence:** Doug reported that aside from a request for a copy of a tax bill no other correspondence was received since the last Board meeting.

**Gavin Cartiera's Resignation** – Doug explained that he had received an email from Gavin Cartiera resigning his position on the WPCA Board. Doug remarked that Gavin explained that increasing family obligations prevented

him from continuing to serve on the OCBCA Board of Governors. A motion (Humes/Newson) was made to appoint Rich Kingston to fill the Gavin's remaining term of office. Doug stated that according to Association rules the candidate who fails to be elected to the Board by the general membership but has the most votes of anyone not elected should be asked to fill the Board vacancy. There was no discussion. The motion passed unanimously.

**Election of Board Officers and Director** – Doug stated that earlier this month he sent the Board members an email asking them if they were interested in continuing in their current position on the Board or if they would like to be considered for a different position. Doug stated that Janet would like to continue serving as Treasurer. Both Nancy and Steve informed Doug that they would like to continue in their current positions as Tax Collector and Director of Public Safety respectively. Doug also stated that Lester would like to continue as Director of Public Works. Doug noted that the only unfilled positions as of this moment is Board Chairperson and the Director of Recreation (*Rich has agreed to continue to serve as Clerk of the Association*). As a new member John agreed to serve as the Director of Recreation. As a result Doug will continue to serve as Board Chairperson for the coming year. A motion (Whalen/Montano) was made to appoint the following as officers of the Association: Doug Whalen to be Board Chairperson, Janet Montano as Treasurer, and Rich Kingston as Clerk. There was no discussion. The motion passed unanimously. A motion (Whalen/Humes) was made to appoint the following as directors of the Association: Nancy Zimmerman as Tax Collector, Steve Humes as Director of Public Safety, Lester Webb as Director of Public Works, and John Newson as Director of Recreation. There was no discussion. The motion passed unanimously.

### **Committee Reports-**

**Chairman's Report (Doug Whalen):** Doug presented his Chairman's Report to the Board (no attachment). Doug stated that he had used his golf range finder to measure the distance of the swim buoys from the high tide mark. One of his measurements recorded 243 feet and another 279 feet. Doug stated that the rock is 250 feet from the high tide line. Doug said that the ends of the swim buoys line are 250 feet out while the middle of this line is 270 feet. Doug noted that the swim lines may go out as much as 300 feet and he suggested that the Board may want to extend the lines farther out in the water next summer. Doug stated that the swim lines are currently on the beach waiting to be removed to winter storage. Doug stated that he has asked NRCS to allow the Association to cut down the vegetation in the northern portion of the Sheffield Brook easement. NRCS's suggestion is to have the vegetation cut in January or February and Tower Landscaping has agreed to perform this service during one of those months at the same rate

as the last time they cut this vegetation. Doug also commented that Tower Landscaping will be sending a snow plowing agreement for this winter's snow removal. Doug commented that an Association member, at the semi-annual meeting last Saturday, requested that Brookside Avenue not be used as the main entrance next summer. As a result of this suggestion Doug has asked Tower Landscaping to suggest ways to improve the sight lines at the corner of Brookside Avenue and Route 156. Doug stated that the renter who maintained the planted areas around the street entrances to the Association will be leaving the community and will not be able to perform this service next year. Doug is also looking into finding paid assistants to perform specific recreational services to the community. Doug noted that the trash and recycle bins have been removed from the beach and secured for the winter. Doug also reported that Lester will have the guard shack moved into winter storage. Doug suggested that the Board adopt the policy that overnight storage of boats, kayaks and paddleboards on the beach is prohibited from November 1st to May 1<sup>st</sup>. John suggested that signs be put on the beach storage racks stating that overnight storage is prohibited November 1 to May 1. John offered to look into the cost of these signs. At this time Doug informed the Board that Agenda Item XI. Request to Conduct Wedding on the Beach was placed on the agenda due to a misunderstanding. Initially Doug thought the request would require use of the beach for a period of time. Doug stated that he subsequently learned that the small wedding ceremony was the only event being held on the beach. As a result Doug stated that he did not believe a formal request to the Board to use the beach was necessary after all. Doug explained that there is an official form that has to be completed and sent to the Board for larger functions that require space on Old Colony Beach Club Association property, e.g. legal liability, insurance concerns, inconvenience to the community, etc. Doug said that Lester will take down and store the volleyball net. Doug announced that he would be leaving for Florida for the winter on Saturday, September 25<sup>th</sup>. The port-o-let behind the guard shack has been removed and will be brought back by the vendor on May 15th next year. Doug then added that the lock that holds the chair on the west side of the beach has been stolen. Lester said he would store the chair. Doug also stated that the golf cart will be stored for the winter in the security shed.

**Clerk's Report (Rich Kingston):** In Rich's absence there was nothing to report.

**Tax Collector (Nancy Zimmerman):** Nancy reported that \$183,270.86 has been collected in taxes and \$5,951.25 in tax payments remain outstanding. Nancy stated that eight Association members have yet to pay their taxes which are now overdue. Nancy said that she had mailed these members reminders about their taxes in August and she also stated that if

any taxes are due and still unpaid as of June 30, 2022 she will place property liens on these properties per Association rules.

**Recreation (John Newson):** As this is John's first meeting as a member of the Board he has nothing to report.

**Public Safety (Steve Humes):** Steve stated that he was dissatisfied with the performance of this year's security guard service. He suggested that the Board might want to entertain alternative manners in which to provide security during the summer rather than remain with the current consultant services model *[but not the current vendor]*. Steve suggested that as an alternative idea to the current beach and entrance model consideration be given to providing security for the beach but not the street entrance from Route 156. Steve stated that he and Doug discussed the possibility of using the Old Lyme Town Rangers to provide beach security. Doug stated that he will add this topic to next month's Board meeting agenda. Doug would like the Board members to come prepared to discuss this issue at length. John asked about the level of cooperation exhibited by this year's security guard administration. Steve reported that the company failed to improve its performance from the prior year as had been promised. Doug told Steve that Joe Frutuoso has some ideas about how the guard shack should be situated. Doug asked Steve to speak to Joe about his suggestions. Nancy commented that stationing guards at the main entrance, in her opinion, is critical.

**Public Works (Lester Webb):** Lester stated that he wanted to express his disagreement to a comment made at the September 11<sup>th</sup> General Membership meeting about the beach cleaning service. Lester said that he was very satisfied with the service and he thought the comment was unfair to the contractor. John added that he did not feel that the condition of the beach was any better or worse than last year. Doug did state that he had received a complaint that the sand cleaning equipment was being driven too fast which might cause less items to be picked up than would be at a slower speed. Doug stated that during the winter a lot of sand is blown through the entrances onto the streets. Doug suggested installing a snow fence at these entrances to reduce the amount of sand blown onto the streets. Doug said that this issue will be put on next month's meeting agenda. Lester informed the Board that he will make the previously agreed upon repairs to the fence on the west end of the beach in October. John suggested that the owner of the adjacent property be advised of the repairs when they are made. Lester is concerned about fires on the beach over the winter. Nancy is concerned about the hedges constricting sight lines on the corner of Grove and Breen. Doug suggested that the Board conduct a special meeting next spring to review those locations that might be problematic. Doug displayed a sample

of a metal stop sign that was used in the Association in the past. Doug stated that he will be asking the local police to patrol our streets this winter.

**WPCA Report** - Steve Humes reported that he had nothing further to add to the information about the WPCA provided by Frank Noe, the WPCA chairman, at the September 11<sup>th</sup> Semi-Annual Meeting. Doug stated that he would be attending a pre-bid meeting tomorrow at which the vendors who wish to bid on the infrastructure project are present.

**Request to Conduct Wedding on the Beach September 18** – This agenda item was addressed in the Chairman's Report as appears above.

**Lending Library Subcommittee** – Doug said that he had two potential offers to donate a used boat for the new Lending Library suggested by Gina Carbone. Gina Carbone, an Association member's daughter, has agreed to chair this subcommittee. Doug stated that he would send out a notice asking for volunteers to join this subcommittee. Doug said one thought is to locate the Lending Library in the OCBCA owned parking lot on Gorton Avenue adjacent to the Sheffield Brook easement. John suggested using a cabinet on a post rather than using part of an old boat to serve as the library. Doug also suggested the use of the cement pad near the beach volleyball area.

**Web Site User Authentication Procedure** – Doug asked Joe Frutuoso, the Association's webmaster, if he had any further information on this agenda item. Joe said that in light of current circumstances Rich has not had a chance to work any further on this project. Doug stated that this item would remain on next month's agenda.

**Old Business** – Nancy asked about golf cart parking at the Breen Avenue entrance. She asked if the fence could be moved out closer to the street creating more golf cart parking inside, Doug endorsed this suggestion even adding that moving the fence could also potentially create parking for mopeds on the outside. John stated that he had read the legal decision regarding Swan Avenue residents' access to the beach. John believes that the judgment gives these owners access to the beach but does not grant unlimited access to beach passes if abuse is detected. John believes that Swan Avenue residents should be given the same rights to the passes but not rights that are better than currently offered to OCBCA members such as potentially securing unlimited numbers of passes per Swan Avenue residences while OCBCA members must apply and get specific approval for more than two passes per living unit. Doug agreed with John's assessment. Doug suggested that the Board should require Swan Avenue residents to pay for lost or stolen passes just as Association members do. Lester suggested that the Board send out a letter to those Swan Avenue residents asking for donations as was done last year.

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

**Public Comment** – Doug asked for comments from the two members of the public attending the meeting. Harvey Schiller asked that if a snow fence is installed that pedestrian access to the beach be ensured. Harvey also asked about how extending the fence at the beach entrance would impact the current ability to use the bike rack. Doug assured Harvey that the bike rack would not be removed. Joe Frutuoso then offered that he appreciates the efforts of the Board and congratulated John Newson on his election to the Board. Joe stated that he believes that although the Association can choose its own design of a stop sign the Old Lyme Police will not enforce compliance as these signs do not comply with state signage regulations. Doug replied that he will work with the local police to ensure that they will issue summons when stop sign violations are observed. Joe also stated that he has observed residents emptying household trash in the bins that are reserved for beach trash. Joe suggested issuing a notice that this practice has to stop. Doug replied that the trash situation will have to be reviewed prior to next year. Joe said that he believes that Recreation does need to hire someone to assist the Director and to conduct new activities on the beach. Joe said he was disappointed that this summer's security guard contractor was not made to meet the terms of the contract. Steve explained that the lack of another security firm to replace this year's guard service during the season was the reason that contract compliance was not strictly adhered to. Joe also wants the Board to find a way to limit the gate security cards which are currently in use. Doug said that the Board can limit individual card access as necessary. Joe stated that he believes that there are too many gate passes in circulation. Joe is sure that someone operating a parking lot on Swan Avenue is using these cards for his business by providing unauthorized persons access to Old Colony's beach.

**NEXT MEETING** - The next Board of Governor's meeting date is scheduled for Wednesday, October 13. The meeting may be held in person at Lester Webb's home at 21 Gorton Avenue and will also be held with Zoom remote meeting software.

September 14, 2021  
OCBCA Board of Governors Meeting

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

Respectfully submitted

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

Richard Kingston

Clerk

September 29, 2021

Minutes Approved at October 13, 2021 Board of Governors Meeting

**Results of Voting at the September 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.**

**Gavin Cartiera's Resignation** –A motion (Humes/Newson) was made to appoint Rich Kingston to fill Gavin Cartiera's remaining term of office. Doug stated that according to Association rules the candidate who fails to be elected to the Board by the general membership but has the most votes of anyone not elected should be asked to fill the Board vacancy. There was no discussion. The motion passed unanimously.

**Election of Board Officers and Director** –A motion (Whalen/Montano) was made to appoint the following as officers of the Association: Doug Whalen to be Board Chairperson, Janet Montano as Treasurer, and Rich Kingston as Clerk. There was no discussion. The motion passed unanimously.

A motion (Whalen/Humes) was made to appoint the following as directors of the Association: Nancy Zimmerman as Tax Collector, Steve Humes as Director of Public Safety, Lester Webb as Director of Public Works, and John Newson as Director of Recreation. There was no discussion. The motion passed unanimously.



September 14, 2021  
OCBCA Board of Governors Meeting

Attachment 1

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

|                             |   |
|-----------------------------|---|
| Balance July 1, 2021:       | \$1,026,650.17                                  |
|                             | \$195,746.01 *                                  |
|                             | (\$16.98) FY 2020 tax overpayment made in 2019* |
|                             | <u>\$0.35</u> FY 2020 tax overpayment credit*   |
| Income:                     | \$195,729.38                                    |
| Expenses:                   | \$108,075.73                                    |
| Balance September 11, 2021: | \$1,114,303.82                                  |
| General Fund Checking       | \$96,732.50                                     |
| General Fund MM Savings     | \$188,393.74                                    |
| Capital Fund MM Savings     | \$116,518.83                                    |
| Capital Loan MM Savings     | <u>\$712,658.75</u>                             |
| Balance September 11, 2021  | \$1,114,303.82                                  |

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