

OLD COLONY BEACH CLUB ASSOCIATION
SEMI-ANNUAL MEETING
SATURDAY, JUNE 5, 2021
SHORELINE CHURCH, 287 SHORE RD., OLD LYME

Old Colony Beach Club Association Semi-Annual Meeting

The meeting was called to order at 6:40 p.m. by Board Chairperson Doug Whalen. Doug noted that some members were attending this meeting remotely on Zoom. The Association Clerk confirmed that there was a quorum present. The Pledge of Allegiance was recited. Doug asked for a moment of silence for members of Old Colony Beach and their families who passed away during the last year. Doug opened the meeting with a statement that both the Board of Governors meetings and especially this meeting are avenues for the members to express their concerns to the Board. This is also the method by which the Board communicates directly with the membership. Doug stated that the meeting dates have been changed in the Charter to allow greater flexibility as General Membership meetings can now be held any Saturday in June and September. Doug would like input regarding the move for the June meeting from the third one of the month to, in this case, the first.

Approval of September 12, 2020 Semi-Annual Meeting Minutes: A motion (Marilyn Asal/Joe Frutuoso) was made to approve the September 12, 2020 minutes. There was no discussion. The motion passed.

Board of Director's report:

Chairman's Report: Doug reported that he has been very busy and the WPCA is going "straight out" with its efforts. Doug complimented the Treasurer, Janet Montano, for both her work on behalf of the Association and now, as an agent for the combined beaches' WPCA finances. Doug thanked Joe Frutuoso, the Association's Webmaster, for his efforts for keeping the website up and running. Doug thanked Rich Kingston, the Clerk, for his efforts keeping the minutes and the membership informed. Doug stated that the paddleboard/kayak storage racks have been repaired and are now in place. Doug thanked Connie Caruso, a year round renter in our community, for planting and watering the flowers and shrubs at the entrances and near the bench at the northern end of Sheffield Brook. Doug encouraged members to offer their talents for the benefit of the Association.

Treasurer's Summary: Janet Montano presented a Treasurers Summary for the period ending June 5, 2021 (Attachment 1). Janet noted that the full Treasurers Report, a budget sheet, and a detail of transactions by account will be posted on the Association's website.

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

Tax Collector Report: Nancy Zimmerman reported that all taxes have been collected.

Director of Public Works Report: Lester Webb reported that snow removal worked out very well last year with Tower Landscaping and that there is a very good chance that their contract for next winter will be renewed. Lester informed the membership that a new contractor will be cleaning the beach this year, Anthony's Property Services. Lester also noted that the beach was levelled this spring. The beach cleaning starts at 6:45 AM and if chairs are out on the beach the owners should stay close so they can move them for cleaning if necessary as the contractor will clean as close to the water line as possible. Lester commented that he has witnessed excess speed by vehicles driving in the community. Lester stated that he wants people to pay more attention to the property lines to keep vegetation clear of street corners and along the roadway. Doug commented that due to two member's complaints made with the town of Old Lyme the beach levelling project was delayed although there was no violations discovered. Doug stated that a white line has been painted on one of the rocks at the Sheffield Brook outflow indicating the Coastal Jurisdiction Line (CJL). Doug noted that that is important because any activity below that line is subject to the state Department of Energy and Environmental Protection (DEEP) oversight while above that line is not.

Director of Public Safety Report: Steve Humes reported that the same security service as last year has been rehired.

Entertainment Director Report: Gavin Cartiera reported that this year's recreational schedule has been published. He stated that this year's movies on the beach will begin Saturday, June 19. Yoga on the beach also commences that same Saturday at 8:30 AM. Gavin also noted that there will be two sand castle contests this year, Sunday July 18th and Sunday August 15th. Gavin invited everyone to coffee and donuts tomorrow at 10 AM. Gavin also stated that he is planning on holding one entertainment event on the beach this year.

Public Comment – Lenny Gregorian asked Lester Webb what the plan is for the speed bumps after the sewer project is completed. Lenny thinks the speed bumps are crucial. Doug answered that the speed bumps will be placed in between stop signs and adjacent to telephone poles to discourage people driving around the bumps onto private property. Lenny would like to see the bumps remain at the stop signs. Joe Frutuoso spoke against the use of speed bumps at the stop signs. He is concerned about the inconvenience that the speed bumps present to emergency and snow plowing services. Joe would like to see the installation of

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temporary removable speed bumps during the summer months. Joe would like to see tickets issued for not stopping for stop signs rather than the use of speed bumps to encourage compliance. Joe stated that as Webmaster he is concerned about the potential security risk that inactive email addresses present to the security of the Association's website. Joe stated that roughly sixty per cent of the email that is sent out is opened possibly indicating that many email addresses do not access our system any longer. Doug stated that he recently painted a white stripe on one of the rocks in the Sheffield Brook groin that indicated the Coastal Jurisdiction Line (CJL). Doug explained that the Association cannot make any changes below the Coastal Jurisdiction Line which is governed by the state. Doug said he did this after the town zoning officer and a DEEP official responded to two separate complaints filed against the Association. Jim Fazzino noted that the Coastal Jurisdiction Line (CJL) is based on elevation and asked how situations in which the beach elevations are changed by natural erosion, storms, etc. are supposed to be handled. Doug did not respond to this question beyond stating that the DEEP official said the Association did everything right and that the recent complaints filed against OCBCA were found to be without merit.

FY2022 Budget – Doug stated that one of the biggest expenses that we have next budget year is the need to do a full audit which would cost about \$16,000. Doug stated that another reason for the one-half mil increase to the tax rate was due to a new loan for \$800,000 which was necessary for the planned storm drain improvements project. Doug is confident that the new tax rate can remain stable in the coming years. A motion (Frank Nicotera/Bob Asal) was made to approve the Board of Governor Endorsed FY2022 Budget with a mil rate of 4 (Attachment 2). Rosemary Lombard asked if the Association paid \$11,000 on the \$800,000 loan last year. Janet confirmed this. Rosemary asked why the Board did not secure these funds with a line of credit. Doug stated that the Association went through four banks to secure this loan and this was the only manner in which the loan could be obtained. Doug also stated that some of the expenditures in the budget line Rosemary was referring to were due to costs due for storm drain design work which was approved by the membership last year. Rosemary also asked if the Board was seeking Covid-19 relief funds from the town of Old Lyme. Doug stated that the WPCA is working on this right now. Rosemary asked about the interest rate on the loan. Doug responded that it was either 3 or 3 ¼ per cent and that if Covid-19 relief funds could be accessed the loan could be repaid in full in five years with no penalty saving the Association additional sums. Pete Carnrick asked if an audit is required every year. Doug replied that because state funds are being accessed for the WPCA project and the requirements of the bank that loaned the funds for the sewer improvement project an audit will have to be done annually. Joe Frutuoso asked if the mil rate would not have increased if the loan had not been secured. Doug replied in the affirmative. Seeing no further discussion Doug, as Chairman, called for a voice vote on the budget. Rosemary

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Lombard requested an anonymous paper ballot vote rather than a voice vote in accordance with the terms of the Association's Charter. Doug directed the Clerk to hand out paper and pencil to the members for this purpose. Rich stated that each parcel is entitled to one vote. Rich also noted that the proxies submitted will also be counted into the final vote. Doug asked the members present by Zoom to vote also. Steve Humes, present by phone, gave his proxy to the Chairman to cast a vote. Rich and Gavin counted the ballots. After the WPCA report was completed the Clerk reported that the final tally was 39 in favor and 14 opposed (Attachment 2). The Clerk stated that the budget passes. *(N.B. subsequent to the adjournment of this meeting and after a recount of ballots the vote was corrected to 38 in favor to 15 opposed)*

Committee Reports-

Water Pollution Control Authority – Frank Noe, the chairperson of the Water Pollution Control Authority (WPCA), named the members of the WPCA as he has done every year. Frank stated that a bid had been sent out April 19th with a thirty day window in which to respond. The bid was opened on May 19th. Although the bid was sent to nine contractors seven chose not to submit a bid. Frank stated that one of the reasons that some contractors did not bid was due to a November deadline for some phases of the construction due to the need to coordinate with street improvements to Route 159 that will be made by DOT at that time. Other contractors did not bid due to the expensive and limited supply of necessary materials. Frank stated that the two contractors who did bid provided unrealistic bid amounts. Frank stated that this bid was for the shared portion of the project funded by the four entities involved. Frank noted that the bid included the pump station on Portland Avenue, the force main from Portland Avenue all the way to East Lyme, and the gravity fed trunk line from Old Lyme Shores through Hartung Place all the way down to the pump station on Portland Avenue. The project engineers estimated the total cost of this project to be between nine and 10 million dollars. The bids came in at \$17,500,000 and \$18,500,000. Frank stated that the bids were not accepted. In order to comply with DEEP regulations the scope of work had to be altered. Frank said that the new bids will be sent out for three different projects. The force main, the pump station, and the Hartung gravity fed trunk line will be the three different bids. Frank stated that the hope is that more contractors would respond to these three separate bids. Frank stated that the new bids should be ready to go out to bid July 1st and that the contractors would be given forty-five (45), and if necessary, sixty (60) days to respond. Frank noted that some contractors felt that they did not have enough time to respond to the previous bid sent out in April. Frank hopes that the internal infrastructure portion of the project can go out to bid thirty days after the July 1st bid. Frank asked for questions. Lenny Gregorian asked if the biocide station would be part of the force main bid. Frank responded that it was part of the pump station bid. Another member asked for an estimated date for actual

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work in the roads to begin. Doug stated that he thought the timeline was two or three months delayed from the last estimate. Doug stated that there is some research being done to determine if there are federal funds available for the pump station portion of the project. Jim Fazzino asked, if the total cost does not change from the first bid amounts, how the EDUs are effected and if a need will exist to secure an additional loan. Frank replied that the EDUs would increase by approximately forty per cent if the cost of the project does not change. Frank stated that the bids were totally unacceptable. Larry Michaud, on Zoom, asked if a delay is necessary waiting for costs of material to come down how long would that delay the project. Frank stated that the DEEP would allow the WPCA to hold off on the project for at least a year but that would force payment on the loan earlier than initially anticipated. Donna Maselli asked if Covid-19 relief funds could be accessed to cover the increased cost. Frank responded that the Association could not apply as a municipality for these funds and that we would have to rely on the town of Old Lyme to do so. Joe Frutuoso expressed frustration with the way the town of Old Lyme has forced delays on this project over the years. Doug remarked that the town is working very hard to get this project done. In answer to Jim Fazzino's question about the forty per cent estimated increase to the EDU rate Frank responded that this was estimated by using the unexpectedly high initial bid responses and inflating the internal infrastructure costs by the same percentage. Frank thanked Janet Montano for all of her hard work managing the shared costs of the project.

Old Business – There was no old business.

New Business – There was no new business.

Public Comment – Doug thanked Lester Webb for getting the postal delivery truck to turn around allowing the gates to remain closed on Old Colony, Breen, and Brookside this year. Doug informed the membership that during the month of June the Association only has two guards on duty. Doug stated that the roving guard's first responsibility is to cover for the two essential guard posts, the entrance to the community and the border on the beach between Old Colony and Soundview Beach. Doug remarked that the third daytime beach guard, when available, has three responsibilities: relief coverage for the front entrance, relief coverage for the beach guard, and checking beach passes when the other posts are covered. Frank Noe is concerned that the guard spends too much time riding around the community on the golf cart. A member asked about how mosquito control is being handled. Lester replied that mosquito pellets are placed in the storm drains each month between June and September. Bob Asal asked when the new orange beach passes will go into effect. Doug replied that the blue beach passes will be effective until the majority of orange beach passes have been issued. At that time the guards will be instructed not to honor the blue passes

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any longer. Doug stated that a Do Not Enter sign will be placed at the entrance to Grove Street at the Gorton Avenue intersection as this road is one way. He said that Broughel Avenue should be used to access streets west of Gorton Avenue. Doug remarked that once the sewers are done there will be no one way streets in the community. Bob Asal commented that the Belmont Stakes are always held on the first Saturday in June so he would prefer that the meeting be held on the second Saturday. Joe Frutuoso would like to see a pad installed to keep the guard shack at the entry gate off the street. Joe said that he would like to see a sign posted on Route 156 at the open street to alert drivers that the beach community is private and that drivers should not turn into the entrance street unless they have legitimate reason to enter.

Next Meeting – The next OCBCA General Membership meeting will be held at the Shoreline Church at 6:30 PM on Saturday, September 11, 2021.

Adjournment: A motion (Donna Maselli/Dimitri Tolchinsky) was made to adjourn. The meeting was adjourned by acclamation at 7:55 PM.

Minutes recorded by:



Richard Kingston, Clerk
June 23, 2021

Minutes Approved by General Membership at September 11, 2021 Semi-Annual Meeting

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**Results of Voting at the June 5, 2021 Old Colony Beach Club Association
Semi-Annual General Membership Meeting**

FY2022 Budget – A motion (Frank Nicotera/Bob Asal) was made to approve the Board of Governor Endorsed FY2022 Budget with a mil rate of 4 (Attachment 2). Rosemary Lombard requested an anonymous paper ballot vote rather than a voice vote in accordance with the terms of the Association's Charter. Doug directed the Clerk to hand out paper and pencil to the members for this purpose. The Clerk reported that the final tally was 39 in favor and 14 opposed (Attachment 2). The Clerk stated that the budget passes. *(N.B. subsequent to the adjournment of this meeting and after a recount of ballots the vote was corrected to 38 in favor to 15 opposed)*

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Attachment 1

Treasurer's Summary
OCBCA Semi-Annual Meeting
June 5, 2021

Balance July 1, 2020:	\$258,123.04
	\$975,540.53 *
	(\$20.49) FY 2020 tax overpayment made in 2019*
	<u>\$16.98</u> FY 2020 tax overpayment credit*
Income:	\$975,537.02
Expenses:	\$190,581.76
Balance June 5, 2021:	\$1,043,078.30
General Fund Checking	\$35,799.73
General Fund MM Savings	\$188,384.24
Capital Fund MM Savings	\$104,200.42
Capital Loan MM Savings	<u>\$714,693.91</u>
Balance June 5, 2021	\$1,043,078.30

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

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Attachment 2



Voting Items for June 5, 2021 General Membership Meeting

- **OCBCA Charter Section 9 & Bylaws Article VIII Section 1-** states the Board of Governors shall prepare and submit to said association, at the June Semi-annual meeting, a budget and recommend a tax for the purpose of and based on such budget. The Board of Governors will set the mill rate on the dollar of the total value of real estate within the limits of said association as shown by the last-completed grand list of the town of Old Lyme.

The Board of Governors is recommending approving the July 1, 2021 – June 30, 2022 budget at \$196,500.00 and setting the mil rate at 4.0

I approve the OCBCA budget of \$196,750.00 & mil rate of 4.0

(CIRCLE ONE) YES NO

Final Vote of Paper Ballot YES: 38 NO: 15

FY 2022 Budget Passes