

April 13, 2022

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 by means of Zoom videoconference software.

ATTENDANCE: Members present - Janet Montano, Lester Webb, Steve Humes, John Newson, Rich Kingston and Doug Whalen

Members absent - Nancy Zimmerman

Members of the Public: Raymond Zinkerman, Joe Frutuoso, and Harvey Shiller

Approval of 3/9/21 Board of Governors Meeting Minutes: A motion was made (Montano/Webb) to approve the March 9, 2022 minutes. Rich asked for clarification about including a Treasurer section in the Board reports section of the meeting. Doug explained that it was at the March meeting that the Board decided that this should be added as the Treasurers Report section will remain for financial reporting only. The motion to approve the minutes passed unanimously.

Action Items Update: Rich reviewed the open action items from last month's report. All the open items are currently either on this month's agenda or are still in the progress of completion.

Correspondence: Doug stated that he had received an e-mail from the owners of 23 Hartung Place who, having heard about the Board's action to authorize an underground power connection of the street lamp at the end of Old Colony Road, requested similar treatment for their property and others along the beach itself. Doug replied to these owners that the situation at the end of Old Colony Road was very specific to this situation and was not part of any larger project to bury power lines along Hartung Place. Joe Frutuoso, as a member of the general public, reminded Doug that he had sent a request regarding recycling in the community to his attention. Doug stated that he had been advised by CWPM, the town's trash and recycling vendor, that the streets were too narrow to accommodate trash and recycling collection on the same day. Although Doug questioned this rationale he was told by CWPM's representative that the decision to collect in this suggested manner was not acceptable. Doug stated that he would stay involved with this issue. Later in the meeting Doug reported that he had received an email from a resident pointing out that two trees along the Maple Street paper road are in need of removal. Doug stated that he would look into the matter.

Treasurer's Report (Janet Montano) – Janet presented the Treasurers Summary ending March 31, 2022 (Attachment 1).

Committee reports-

Chairman's Report (Doug Whalen): See Chairman's report (Attachment 2). Steve asked Doug for a clarification of the WPCA funding issue regarding the eligibility to access federal funding for this project. Doug stated that an application for a STAG grant will be submitted tomorrow. Doug informed the Board that the combined WPCAs are seeking a \$13 million grant. Doug stated that the DEP also has a 55% grant and 45% loan program also available that the WPCA is looking into.

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

Treasurer (Janet Montano): Janet reported that the recent annual report from our accounting firm needs to be accepted by either the Board or the general membership. Doug stated that this topic should be included in next month's agenda. Doug stated that the Board has the responsibility to official accept the annual report but that the membership should be provided a copy for their use. Doug will ask Joe to share the digital version of this report with the membership. Janet stated that she had received an invoice from H.S. Plaut Environmental Services for \$300 for painting the swim buoys although this contractor has not been awarded this contract for this year. Janet stated that she needs to buy a new stamp for check endorsement. Doug suggested that although the buoys contract has not been awarded yet that the Board should plan to pay for the painting that has already been done.

Tax Collector (Nancy Zimmerman): In Nancy's absence Janet reported that there are four (4) outstanding taxes due to date. The total amount due is relatively small as two of the four only owe minor amounts with the majority of the initial amount due paid leaving a small balance on these two accounts. John responded to Janet's statement that one of the checks from one of the four delinquent accounts had bounced. John stated that since the bank returned the check stating that the account on which the check was drawn does not exist a crime had been committed by this member. John explained how the process to get recompense works and further stated that the fact that the account did not exist, rather than simply being overdrawn, makes it a crime. Doug asked John to give Janet a copy of the form so she can start the progress to recover these funds.

Recreation (John Newson): John reported that he had not received any responses to his request for application to serve as paid assistance to the Recreation Director during the summer months.

Public Safety (Steve Humes): Steve will report on the summer security contract later in the agenda. Nothing else to report on Public Safety. Doug stated that Brookside Avenue will be the open street this summer. Janet suggested that as there are two gate stops on the right side of this entry one of them needs to be removed to create more space for vehicles to enter.

Public Works (Lester Webb): Lester reported that he has been talking to the beach contractor about preparing the beach for the summer season. Lester asked the contractor, Anthony Landscaping, for a quote for preseason work which is not included in the contract language. Lester stated that the contractor quoted \$2,200 to \$2,500 if he used a bulldozer to do the required levelling. Lester stated that OCBCA spent more than that amount last year. Doug would like to see this extra contract awarded by May 1. Lester also stated that the landscaper had developed a plan to sweep the streets with as little amount of imposition to adjacent homeowners as possible. Rich asked if the Board could discuss the issue about a Swan Avenue homeowner who plans to install a gate that opens directly onto OCBCA property on the west side the beach. Lester said he had planned to install a four foot section of fence to block an entry way that existed between fencing but that the new homeowner had removed the fence temporarily to accommodate renovations to his property. Janet reiterated that two separate lots, to accommodate the volleyball court, are owned by the Association but not considered beach property and which Soundview residents do not have rights to access. Janet suggested, as John had done previously, that the Association construct its own fence along the west side of the beach and the two volleyball court lots. Doug asked the landowner in question to hold off on reinstalling his fence until May 1 when Doug returns to the Association for the season. Rich spoke in support of the Association erecting its own fence. John reiterated that he believes that a fence is necessary. Janet stated that the capital improvement account will pay for the fence installation. Lester said that he would seek bidders for this fence installation. Lester said that he would seek bids that break out pricing for different sections of fencing. Doug stated that the Board should vote on this issue at its May meeting. Janet will send Lester a boundary stakeout sketch for this property. Lester said that he thinks that we will need to look into expanding the scope of winter snow plowing to include Brookside Avenue at the end of Hartung Place.

WPCA Report - Steve had no information to report. Doug reported that the WPCA is trying to arrange a visit by the commissioner of Connecticut Revenue Services and other elected officials to review OCBCAs and the

neighboring beach's sewer project. State Senator Formica wants a water line installed reaching from the sewer project area down Route 156 to East Lyme. The senator is looking into available funding.

Security Guard Contract for Summer - Steve stated that a third vendor could not be found to provide summer security guard services. Steve reported that Investigative Services LLC, last year's provider of security services, bid \$30 an hour for such service while USA Security bid \$25 an hour. A motion (Humes/Whalen) was made to contract with USA Security for security guard services for summer 2022. Rich spoke against hiring either firm as both of these security services have provided substandard service in the past. There was no further discussion. The motion passed, 4 yeas to 2 nays. Rich asked that a provision be added that the contractor cannot hire the same guards that worked last summer without OCBCA permission. Doug stated that the suggestions Janet had made previously will be incorporated into the "post orders." Doug stated that the "post orders" will be presented to the Board for a vote at next month's meeting.

Swim Buoy Contract for Summer – Lester presented an overview of the two bids he had solicited for the installation and removal of the swim buoys. Lester stated that Scott Mitchell, the Old Saybrook harbor master, had submitted a bid for \$3,000 and H.S. Plaut Environmental Services submitted one for \$3,300 with increases over the next two years of a proposed three year contract period. Scott Mitchell expressed his desire that the contract be awarded for just one year. Lester stated that Scott Mitchell had liability insurance. A motion (Humes/Newson) was made to contract with Scott Mitchell for the swim buoys and float contract for the summer of 2022. Doug stated that the issue around insurance and the status of the jet-ski lines needs to be determined prior to awarding the contract. Steve suggested that OCBCA be named as additional insured on this contractor's policy. There was no further discussion. The motion passed unanimously.

Ideas for Summer Recreation Programs – The Board discussed the possibility of having the annual member dinner again and if so, how it would be done. Doug stated that he would work with John to determine what kind of event should be held and report back to the Board with a recommendation. Doug stated that there will be summer weekend movies and the coffee socials after the General Membership meetings will also continue. Doug will contact last summer's yoga instructor to determine if she is interested in doing yoga classes on the beach this year.

Additional Use of Gorton Avenue Parking Lot – The Board agreed to table this issue until its May meeting.

Privately Owned Parking Lot on Breen Avenue – Doug explained that the member-owned parking lot on Breen Avenue has been regulated by the town of Old Lyme in the past. Doug said a new agreement with the town of Old Lyme now allows Old Colony Beach Club Association (OCBCA) to take over that regulation. Doug stated that this change will require a new ordinance and membership approval. Doug explained that the ordinance language, to be drafted by the Association attorney, will address matters specific to the Association. Doug then started a discussion relative to the merits of taking on parking lot regulation. Rich asked how OCBCA would benefit from the proposed arrangement. Doug responded that this would ensure that non-members could not park in this lot and annual revenue will be recorded. Further discussion was held regarding some details related to the administration of the proposed ordinance. Doug will report back to the Board at the May meeting with a draft ordinance for its review and approval. Doug explained that if the draft is approved it would then be set before the general membership at the June semi-annual meeting.

Request to Cut into Road at 10 Broughel Avenue – Doug stated that the owner of 10 Broughel Avenue is requesting permission to cut into the road in order to access the Connecticut Water Company water main. A motion (Newson/Montano) was made to grant such permission. There was no discussion. The motion passed unanimously.

Website Site User Authentication Procedure – Rich asked that this agenda item be tabled until next month.

Suggestion for Transparency & Fiscal Responsibility Act of 2022 – Doug stated that he had nothing to report at this time but that he will keep this topic active.

Budget for FY2023 – Doug began the discussion by commenting on the draft FY23 budget that he created for the Board's review. Doug explained that his draft budget presents the need for a mil rate of 4.25. Doug then stated that, with further adjustments, the tax rate could be held at 4.0, last year's figure. The Board's consensus was for OCBCA to continue at the current mil rate of 4.0. Janet and Doug then reviewed the projected budget and made changes to keep the mil rate at the agreed figure. Doug said he would distribute the modified budget which now totals \$196,900. Doug stated that the Board will need to vote on this budget at its May meeting prior to submitting it to the general membership in June for a vote to approve.

Old Business – Rich stated that he wanted the Board to know that the boat spaces that are used for overnight storage by the east side boat launch will

be available on a daily first come first served basis. Janet wants to make sure that the wooden paddleboard storage racks are repositioned to the west side of the beach adjacent to the volleyball court. There was no other old business.

New Business – Doug polled the Board on which is the best Saturday in June to hold the semi-annual general membership meeting. The Board agreed to hold the meeting on Saturday, June 18. Rich will contact the pastor of the Shoreline Church to arrange to use their space. There was no other new business.

Public Comment – Harvey Schiller suggested that it might be best to talk to the landowner on the west side of the beach to determine his plans for his fence. Rich spoke in favor of OCBCA erecting its own fence regardless of the homeowner's plans. Joe Frutuoso stated that the Correspondence item of the agenda needs to be handled better to ensure that all correspondence is addressed in this portion of the meeting. Joe stated that he believes that the plan to pick up recycling waste on the same day as trash is a good one and should still be pursued. Joe stated that Rogers Lake residents have both types of trash picked up on the same day. Joe would like the Board to revisit the court decision which allowed beach access to some Swan Avenue residents without any kind of payment. Joe stated that in his opinion the OCBCA owned Gorton Avenue parking lot adjacent to the Sheffield Brook easement should be used for guard parking during the summer and nothing else. Joe also expressed his concern that the Association should not take over parking lot regulation from the town. Joe also expressed his continuing frustration with the loan for the storm drain project which has not been used but causes the Association to pay \$67,392.42 in interest a year with no benefit. Joe also stated that he sees zero benefit from the beach cameras.

Next Meeting – The next Board of Governors meeting date is scheduled for May 11, 2022. Site for this meeting to be determined.

A motion (Kingston/Humes) was made to adjourn at 8:34 PM. The motion passed.

Respectfully submitted



Richard Kingston
Clerk

April 27, 2022

Approved at May 11, 2022 Board of Governors Meeting

Results of Voting at the April 13, 2022 Old Colony Beach Club Association Board of Governors Meeting. Board of Governor members present- Janet Montano, John Newson, Lester Webb, Steve Humes, Rich Kingston, and Doug Whalen.

Security Guard Contract for Summer - A motion (Humes/Whalen) was made to contract with USA Security for security guard services for summer 2022. Rich spoke against hiring either firm as both of these security services have provided substandard service in the past. There was no further discussion. The motion passed, 4 yeas to 2 nays.

Swim Buoy Contract for Summer –A motion (Humes/Newson) was made to contract with Scott Mitchell for the swim buoys and float contract for the summer of 2022. Doug stated that the issue around insurance and the status of the jet-ski lines needs to be determined prior to awarding the contract. Steve suggested that OCBCA be named as additional insured on this contractor's policy. There was no further discussion. The motion passed unanimously.

Request to Cut into Road at 10 Broughel Avenue – Doug stated that the owner of 10 Broughel Avenue is requesting permission to cut into the road in order to access the Connecticut Water main water line. A motion (Newson/Montano) was made to grant such permission. There was no discussion. The motion was approved.

April 13, 2022
OCBCA Board of Governors Meeting

Attachment 1

Treasurer's Summary
OCBCA Board of Governors Meeting
April 13, 2022

Balance July 1, 2021:	\$1,026,650.17
	\$204,323.39 *
	(\$16.98) FY 2021 tax overpayment made in 2020*
	<u>\$0.56</u> FY 2022 tax overpayment credit*
Income:	\$204,306.97
Expenses:	\$157,234.15
Balance March 31, 2022	\$1,073,722.99
General Fund Checking	\$68,199.32
General Fund MM Savings	\$188,415.63
Capital Fund MM Savings	\$104,242.30
Capital Loan MM Savings	<u>\$712,865.74</u>
Balance March 31, 2022	\$1,073,722.99

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

Attachment 2

Chairman's notes for April 13, 2022, BOG meeting

- Working with the WPCA Chairman on WPCA issues which included conference calls & meetings, writing letters of referral for grants, and research for additional grant money from State & Federal agencies.
- Sent letter to State of CT DOT asking for the repaving of RT 156 be extended out another year so we can get our sewer pipe in the ground before paving. This has a potential of saving over \$800,000.00 to the sewer project.
- Was asked and accepted to be a part of the Soundview Operations Advisory Committee. I am representing Old Colony Beach as a neighboring beach community as this committee works to improve the issues that come up over the summer months at the Soundview Beach area. Issues being reviewed are Parking lot fees, security & security cameras, public safety issues, rangers and other topics that are placed on the agenda. This committee meets every Wednesday at 9:00am and the minutes are posted on the Town website.
- Worked with property owner of public parking lot at 61 Breen to change the parking lot designation from Public to resident & resident guest only parking. Worked with the Town of Old Lyme to change the application process from the Town to OCBCA as outlined in the OCBCA Charter Section #8 (parking of motor vehicles in the community).
- Continued to stay in touch with the Lending Library group as the lending library program in Old Colony starts to get active over the spring. This program has an old skiff that will be converted into a library bookcase that will be placed somewhere on the beach for residents to utilize.
- Worked on putting a budget together for the Board to review.
- Worked on the OCBCA newsletter. A final version should be available by May 1st.
- Attempted to solicit additional security firms to bid the OCBCA security program through an online security firm search site. Only received one reply.
- Responded to correspondence (phone calls & Email) from residents on assorted issues in OCBCA.